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ABSTRACT

This compilation of papers from Program for Educational Opportunity conferences incorporates theoretical, empirical, legal and programmatic perspectives pertinent to the regulation of student behavior in the desegregated setting. The dual challenge of protecting students' rights and teaching socially responsible behavior is explored. The legal aspects of suspension as a disciplinary technique are explained in terms of impact of Supreme Court rulings. Personal liability of teachers is outlined in cases where constitutional rights are violated. Because of legal involvement and educational reexamination of school disciplinary actions, praticularly removal from school, school districts are seeking alternative means of dealing with student misconduct. Many alternatives are discussed: policy analysis, staff development, community involvement and a number of organizational modifications. The focus of the individual papers is to provide educational practitioners and policy makers with alternative means of promoting social responsibility and to emphasize the need to scrupulously adhere to due process procedures. (BN)

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STUDENT RIGHTS AND DISCIPLINE:

POLICIES, PROGRAMS, AND PROCEDURES

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PREFACE

The Program for Educational Opportunity (PEO) is a general assistance center funded by the U.S. Office of Education to provide supportive services to Michigan school districts in their efforts to ensure educational opportunity to all students regardless of race, sex or national origin.

Besides providing in-district services on request and without charge to public schools in Michigan, the Program annually conducts a series of conferences covering topics of critical importance to school board members, administrators, teachers, students and community members. Proceedings from two of these conferences are combined in this book of proceedings.

The Program for Educational Opportunity is grateful to the professional, governmental, university, and law consultants who shared their experiences to help promote equal educational opportunity.

Special appreciation is due Dr. Wilbur Cohen, Dean of the School of Education, for his continuing interest and support of the Program.

Finally, contributions of the individuals responsible for the planning and coordinating of the conferences and these proceedings are acknowledged.

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INTRODUCTION

Charles Vergon*

While the controversy surrounding student rights and school discipline is of importance to American public education generally, it may be of even greater significance to minority students and the districts in which they are enrolled. This compilation of papers from Program for Educational Opportunity conferences held in 1976 and 1977 incorporates theoretical, empirical, legal and programmatic perspectives pertinent to the regulation of student behavior in the desegregated setting.

The superintendent responsible for implementing the first uniform code of student conduct decreed by a federal judge as part of a desegregation plan, provides a conceptual backdrop for examining student rights and school discipline. In his article, "Student Rights, Discipline and Social Responsibility for American Education," Arthur Jefferson traces the evolution and explores the implications of the dual challenge confronting American education: protecting the rights of students and teaching socially responsible behavior.

This challenge stems from judicial interventions over the past decade including two cases concerning the rights of public school students which were decided in 1975. One case, Goss v. Lopez, involved the issue of whether school officials must provide due process hearings to students facing temporary suspension. The Court said they must. The other, Wood v. Strickland, presented the question of whether school officials, in this instance members of the board of education, could be held liable for knowingly or negligently violating the rights of students. The Court answered in the affirmative. These opinions are summarized in Part II.

The implications of these decisions are considerable, particularly in view of recent studies by the Children's Defense Fund and others, evidencing the degree to which public school officials rely on suspension as a disciplinary technique. Though the

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procedural protections afforded students by the Court's opinion in Goss are modest, the existence of a Supreme Court ruling and the attendant consciousness it creates among educators and parents will likely have some impact on district practices if not policies as suggested by Judith Hale's survey of participants at one PEO conference.

Junious Williams, in his paper entitled "Defining the Scope of Due Process in the Educational Setting," provides a succinct analysis of the concept of due process and its expanding application in the school context. He challenges educators to find new structures for educational decision-making that have as their cornerstone due process safeguards.

The motivation for school officials to take up this challenge may be in part the Court's ruling in the second case, Wood v. Strickland. In holding that school officials can be held individually liable for violating the well-established constitutional rights of students, the Court has responded to that segment of the educational community which was not deterred by the prospect of a court enjoining an unlawful policy or practice. Futhermore, the Court does not exempt from liability the negligent or unknowing infringement of student rights. Charles Vergon discusses this and other facets of the Court opinion in "Liability for Violating Student Rights."

These cases are of obvious importance to desegregating school districts and those minority students finding themselves in newly desegregated settings. Leon Hall, a sensitive and perceptive observer of southern school desegregation, in 1971 first reported the utilization of suspensions as a means of circumventing desegregation. He referred to the wave of suspensions of black students which accompanied desegregation as the "pushout" phenomenon. His paper entitled "Race and Suspension: A Second Generation Desegregation Problem" elaborates on his observations.

The disproportionate racial impact of suspension is also borne out in Stephen Rollin's report of the findings of the Florida Governor's Task Force on Disruptive Youth for which he served as principal investigator. The study is especially noteworthy since, in addition to identifying the frequency of suspension and type of disruption leading to removal, it attempts to isolate demographic and academic variables associated with suspended pupils.

Reliance on suspensions and the disproportionate impact they have on minorities is not restricted to Florida or the southeast, however, as reflected by the descriptive account of "Suspension Practices in Michigan." The study by Vergon and Williams, based

on an analysis of Office for Civil Rights data, includes findings on number and percentage of students suspended, racial disproportionality of suspensions, the number of school days lost and other measures of suspension practices.

Though the nine students whose suspensions ultimately were reviewed by the Supreme Court in Goss were black, the legal arguments that persuaded the Court to invalidate the suspensions were addressed to procedural due process rather than equal protection. Nevertheless, the Court's requirement that school officials provide a hearing which incorporates at least "...rudimentary precautions against unfair or mistaken findings of misconduct and arbitrary exclusions from school" serves the interest of the nondiscriminatory administration of discipline.

While the Supreme Court has yet to do so, a number of lower federal courts have been directly confronted with the issue of discriminatory discipline in public schools. The most significant of these lower court cases for minorities involves the Dallas Independent School District (Hawkins v. Colcman). After reviewing statistical evidence of disproportionality in the suspension and corporal punishment of black students and hearing expert testimony concerning institutional racism in the district, the federal district judge ordered a comprehensive affirmative action program to remedy the situation.

Because of legal involvement and educational reexamination of school disciplinary actions, particularly removal from school, school districts are seeking alternative means of sanctioning student misconduct. The need for devising alternative means for promoting social responsibility is the theme of Joseph Price's paper entitled "The Case for Alternatives to Suspension of Minority Students."

Marian Malone surveys "Alternatives to Suspension" and provides an extensive directory of operating alternatives in Michigan and the nation, while William Cotton describes "Strategies for Reducing Disproportionate Racial Impact on Suspensions: The Dallas Experience."

Where the Dallas plan addresses policy analysis, staff development, community involvement and a number of organizational modifications, other districts have emphasized one approach to a greater extent than another. Some of the exemplary programs emphasizing training, organizational modification, counseling or community involvement are described in a series of papers by those responsible for their design or implementation. Ralph Bailey of the St.

Petersburg Schools, explains the validated training programs designed for staff, students and parents in that Florida community. Among the programs are humanistic education activities for teachers, and school and home survival courses for students.

A strategy based largely on an organizational approach to changing suspension practices is described by Percy Clark of Kalamazoo. He explains how a comprehensive suspension reporting system can contribute to problem identification, institutional and individual accountability, and the development and evaluation of remedial plans. Vivian Shaner also focuses on the need for data to dispel myths, raise the consciousness of district personnel and assess organizational policies and practices.

One of a wide variety of counseling-based approaches for improving student behavior and achievement is discussed by Paul Bader. These programs, operating in a half dozen Michigan districts, are based on the counseling principles of guided group interaction.

"Earn and Learn" represents Evanston, Illinois', attempt to motivate students to improve behavior and academics through a program administered by the district, but drawing heavily on the involvement of the local business community.

Hopefully these conference papers will provide practitioners and educational policy makers with alternative means of promoting social responsibility and emphasize the need to scrupulously adhere to due process procedures when any denial or diminution of educational service is contemplated as a disciplinary measure.

I. STUDENT RIGHTS AND DISCIPLINE: AN OVERVIEW

STUDENT RIGHTS, DISCIPLINE, AND SOCIAL RESPONSIBILITY IN AMERICAN EDUCATION FOR THE YEAR 1977

Arthur Jefferson*

I intend to address three areas of concern in this presentation. First, I will review briefly the historical role of public education in developing a sense of social responsibility in students and, following that, the prospects for heightening that role for the present and the future. Second, I will explore the interface of the recent movement toward guaranteeing students the protection of basic human rights and the role of the school in teaching socially responsible attitudes and behaviors. And, finally, I will suggest ways in which administrators --indeed the total educational community --can and are responding to the dual challenge of student rights and social responsibility.

Historical Role of Education

The purpose of education has remained virtually unchanged since Socrates engaged his students in dialogues about the aidos, a higher "good" which serves as the foundation for all action. This fundamental purpose of education, namely the seeking of understanding of a higher good, has weathered literally hundreds of thousands of frontal assaults in the form of papers completed for classes in educational philosophy, statements of educational goals and objectives labored over by school boards, and annual "State of Our Schools" messages prepared by superintendents. I recently engaged in this latter ritual, and my set of goals, priorities and expectations were summarized in an action plan, A Call to Action! Challenge for the Detroit Public Schools. This plan was endorsed by the Central Board of Education of the Detroit Public Schools and widely distributed throughout our educational community.

What has changed since ancient Greece is the path of learning that students have been required to tread in order to attain knowledge of the higher good. Educators have given priority to the acquisition of

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skills, laws and principles, the acquisition of certain characteristics of "culture," and the acquisition of good habits for citizenship and for the world of work. Moreover, the definition of which students could benefit from twelve or thirteen years of schooling has broadened considerably. While education was initially deemed to be a "privilege," it has now become a "right." Today, that right is guaranteed through state laws requiring compulsory attendance for every youth from six to sixteen years.

Teaching methods have changed in response to the needs of the expanding student population and in response to new societal needs as our country has moved from an agrarian-based economy through an industrial-based economy. Note that I said "through" an industrial-based economy, for I believe that our economy and underlying value structure have evolved to what Daniel Bell and others describe as a "post-industrial society." Education must now respond to the new set of needs which are demanded by responsible citizenship in a post-industrial society.

Indeed, the challenge for educators in the post-industrial society is to instill in both the attitudes and behaviors of young people a sense of survival for all people. This is a markedly different goal than the "survival of the fittest" social philosophy which characterized our values and actions in the industrial-based economy. I believe strongly that cooperation must replace competition as the dominant form of social interaction. Just as we have moved toward equalization of economic, educational and, to some extent, social opportunities, so, too, must we move toward equalization of resources. I believe that our survival as a nation depends on our ability to close the gap between the "haves" and the "have-nots." We need to close that gap within this country; we need to close that gap between the highly industralized nations and the Third World nations.

You may well ask what social conditions I have observed which lead me to share these feelings with you. Moreover, how do these conditions relate to student rights and social responsibility?

First: The promise of egalitarian and social reform of the 1960s has never been fulfilled. The gap between the "haves" and the "have-nots" in the areas of housing, employment, education and other quality of life measures is greater now than it was five, ten and fifteen years ago. Our ability to effect needed social reforms has been constrained because of this ever widening gap between the rich and the poor in this country. Moreover, I sense that people at both the bottom and top of the socio-economic ladder have become increasingly restless. Those at the bottom want more and demand their share "now!"

Those at the top want to protect their material gains and social prerogatives. I fear that both groups would resort to violence to achieve their respective objectives.

Second: While the social ethos of the 1960s was limitless, the social ethos of the 1970s has become one of limits. Citizen hope of the 1960s has been replaced by citizen despair in the 1970s. The aftermath of Watergate has been a general lowering of expectations for social change and for the role of government in promoting that change. The ultimate faith in business and even the individual to promoting that change has been badly shaken as well. At the time when we most require faith in the individual and in public and private organizations to lead us through a very turbulent environment, we have lost that faith. Many of us are floundering in a sea of bewilderment.

Third: While we are well aware that the American Dream has turned into a nightmare for so many -- and especially for urban residents-- we neither know how nor can we afford to do much of what we think to be vital for our survival. Our present fragmented approach to social problem solving has failed to improve the quality of life. We lack a clear understanding, much less a game plan, for a coordinated approach to relieving the burden of poverty and discrimination.

I have taken the time to share these observations about social conditions in this country because I believe the purpose of education has been, is, and always will be the training of socially responsible youth who will retain socially responsible attitudes and actions through adulthood. The turbulent environment I have described makes very difficult our task as educators to provide learning environments where students can try out socially responsible values and where students can actually see, feel and experience in every possible way, the results of socially responsible behavior.

These unfavorable social conditions notwithstanding, I believe we have the strength to turn the cry "return to the basics" toward providing learning experiences which increase student understanding of what is basic to responsible citizenship in the year 1977 and for the year 2000. Further, I believe we will be able to put aside tests which only measure student achievement and will be able to activate our responsibility to facilitate an educational environment where students can acquire, practice and refine socially responsible attitudes and behaviors.

Human Rights and Socially Responsible Education

The fundamental guarantee of human rights must be reflected in both our attitudes and our actions toward students, toward fellow educators and toward parents and community residents. Two key concepts are "trust" and "respect." All of our words and actions should reflect both trust and respect. Very specific interpersonal behaviors and organizational structures flow naturally from students, teachers, administrators and parents trusting and respecting one another as equals. We must permit these natural relationships to develop and flourish.

If our primary objective is to graduate socially responsible young adults, then good educational sense dictates that we should not deny students the opportunity to learn about and practice human rights behavior every day. Young people will make mistakes. Teachers and administrators will make mistakes. But school is a place for learning, a place where mistakes can be tolerated, and a place where human rights attitudes and human rights behaviors should be nurtured.

My daily conversations with administrators, teachers, students and parents reveal that the pervasive atmosphere in too many Detroit schools is one of discipline. In these schools not much has changed since I was a student twenty-five years ago. Often students have no voice and no place in establishing the rules which define their learning experiences. Teachers are interested in maintaining control while students, to the degree they think about it, are interested in gaining control. This tug-of-war environment is conducive neither to student achievement nor to imparting a sense of social responsibility to students.

The school environment can and must be different. Punishment need not be based on the ubiquitous need for order. On the contrary, any decision for punishment must give clear preference to constitutionally protected rights and should be remediative in nature.

The U.S. Supreme Court has ruled repeatedly in favor of human rights for students. Goss vs. Lopez, (1975); Wood vs. Strickland, (1975); and many other cases reaffirm the opinion in Tinker vs. Des Moines, (1969) that "neither students nor teachers shed their constitutional rights at the school house gate." The task for educators is how best to utilize the guarantee of these fundamental human rights in building a program which nurtures socially responsible values and behaviors in students.

I believe that codes of conduct for students, teachers, administrators and even parents are necessary tools for ensuring the good health of these

basic rights in our school buildings. School systems which adopt codes of conduct and other policies and programs which nurture human rights have no cause to fear that they will suffer disorder or chaos. Teachers and administrators may think it inconvenient to guarantee students the protection of due process and the rights of freedom of speech, access to information and protection from unwarranted search. However, I firmly believe we will be stronger for making the effort in our schools to guarantee basic human rights through our words and actions and through our policies and programs.

In addition to codes of conduct, I feel we must give attention to the structure of the classroom and learning activities to make certain they reinforce the guarantees of basic human rights for students. The many groups which monitor learning materials for any vestiges of racism and sexism provide much needed assistance. Unfortunately, colleges of education have not been very responsive to human rights and socially responsible behavior in their pre-service and in-service teacher and administrator training programs. I believe that their support at both the pre-service and the in-service levels is a necessary ingredient in the process of conversion of values and actions in public education toward socially responsible directions.

We also need to be attentive to the psychological strain which can be caused by environments which are supportive of basic human rights. It may come as a surprise to you, but administrators, teachers, students and parents all feel the influence of the socially responsible values and behaviors which are nurtured in the classroom upon the how, what, where and, to some extent, why, of the way they live. Eating habits have been known to change, as have personal preferences for housing, transportation and even thoughts about salvation. For some individuals these changes in lifestyle, values and beliefs come easily. For others, the counterpress of the environment outside the classroom becomes more than they can handle, and their new learnings must be abandoned. I strongly recommend that educators who are contemplating conversion of their classroom structure and learning activities in the direction of social responsibility take heed of the new training, materials and other support services their counseling personnel may require in order to reinforce the new values and behaviors being nurtured in the classroom.

What We Must Do

The question we will be addressing during this conference is how administrators can best

respond to the challenge of guaranteeing student rights and promoting social responsibility in the educational process. Let me share some thoughts with you.

First: Every school should have a student code outlining both rights and responsibilities. Ideally, each school should write its own code. When this is not possible, the code which is utilized must be read, understood and embraced by all participants. The code we utilize in Detroit was written by a federal judge and was implemented as part of his order to desegregate our school system. Notwithstanding the excellent and extensive in-service support and other services our teachers, administrators and students have received, I have misgivings every day as I read over the reports of undesirable incidents that the Detroit school administrators, teachers, parents and students did not demand more input into the formulation of our Uniform Code of Student Conduct. I believe that had we had this input, we would be better equipped to intervene and perhaps even prevent many of these undesirable incidents.

All school rules should serve a legitimate educational purpose. That is, each rule must protect the learning environment for the individual student, as well as protect the learning environment for all students, teachers, parents and community residents. The meaning of each rule must be clear and must not infringe on any constitutionally protected rights — unless the protection of the school environment is shown to have a compelling interest over individual student rights.

As I have indicated, not only students but also teachers and administrators have rights and responsibilities. The rights of teachers and administrators are currently protected by bargaining agreements, tenure laws, and by a long history of judicial decisions against arbitrary and capricious behavior by school boards and other governing bodies. As the groundswell of support for "accountability" continues, I think the blanket protection afforded through collective bargaining agreements and tenure laws will soon be challenged. I predict that yearly contracts which specify not only clear goals and objectives for student achievement gains, but also clear goals and objectives for raising the level of social responsibility in each student will soon be part of the educational process.

Parents have rights and responsibilities, too. Accordingly, Detroit has begun to work closely with parents to outline general guidelines for parent interaction with the school and in support of learning. Philadelphia's two citywide parent organizations, the Philadelphia Home and School Council and the Parents' Union of Philadelphia, have drawn up and published

(with the help of the school district administration) a Parents' Bill of Rights and Responsibilities. These rights and responsibilities were adopted by the Philadelphia Board of Education. Such a document in every school district could prove to be the cornerstone for building better school-community relations and for restoring mutual trust and respect among students, teachers, administrators and parents.

Second: Inservice training must serve both to renew and strengthen interest in the student code and to improve individual skills in maintaining the code. Indeed, the purpose of this workshop is to give all of us the skills, knowledge and confidence to act, and the knowledge that there is a "resource bank" here in Ann Arbor which is available for on-site support if we need it.

Inservice education training is critical because practical policies and programs which guarantee basic human rights are fairly new to our educational systems. Board members, administrators, teachers, students, parents and community residents all need to understand the law and our constitutional foundation. Moreover, we all need to gain confidence to act in support of these basic human rights guarantees. Basically, we need to implement the programs which reformers of social studies curricula have been advocating for years. Students, parents, indeed, all of us will only learn through actively participating in the learning process.

Third: The role of student government must become more meaningful. Students must be provided with more powers and responsibilites. Their traditional roles of "advice and recommendation" on school-related issues and "control tempered by the principal's right to veto" over extra-curricular activities did not nurture a sense of social responsibility. Too often, the game was rigged against students. When students were given responsibilites for learning, for dress and for decorum, these responsibilities served only as subtle mechanisms for control.

While many innovative models for student government are being tried across the country, I am most impressed with the efforts to implement "government assemblies" composed primarily of students, but which also include parent and school staff representation. The assemblies control virtually all school policies and programs and assembly action is tempered only with limited administrative veto power. The day is fast approaching when students will be represented on all school boards. I welcome student representation on the Central and Region Boards of Education in Detroit because I think the presence of students will keep board members and administrators on the educational rather than on the political track.

Fourth, and finally: I think educators are just beginning to realize the importance of good relationships with other public social agencies, principally the police, courts and welfare. We have been so busy ducking our share of the responsibility for solving social problems that we have neglected to build and maintain inter-agency bridges which help to ensure the maintenance of a healthy learning environment for every student. We must also strengthen our relationships with private business and industry. These relationships are not only important in ensuring up-to-date vocational counseling and education services and experiences, but—and this is an area which is largely unexplored—business and industry could prove of great assistance in providing meaningful alternatives to suspension and exclusion of students.

A final word on student suspensions and exclusions. In Detroit, while we are concerned about providing a safe and secure learning environment for all students, we realize that we can do little to control the rampant crime in the communities surrounding our schools. Suspension and exclusion of troublesome students are only expedient solutions to the problem of maintaining a safe environment for learning in our school buildings. Juvenile delinquency increases when these students are out of school, thereby further contributing to the problem we are attempting to solve. Suspension and exclusion are not remediative in their effect. In short, most behavior problems are not solved by preventing students from attending school.

I predict that it will not be too long before our option to suspend or exclude students will be severely restricted. I believe the courts will soon find that suspending or excluding students deprives them of their basic right to an education. Further, I believe the courts will mandate that alternative learning settings be provided for suspended or excluded students. To the degree that the rights to education of all students are safeguarded, these alternative learning options will have to be structured, staffed, and otherwise fully supported. I anticipate that business and industry will provide support and, in some instances, housing for these alternative learning options.

In conclusion, we have much to do and much to learn before every violation of the student code is translated into a positive lesson for the offender and the offended. We have much to do and much to learn before the educational process in every school will fully guarantee protection of basic human rights and will fully promote the acquisition of socially responsible attitudes and behaviors by our students. Further, we realize that the educational process must promote retention of those socially responsible atti-

tudes and behaviors throughout the adult lives of our students. Students can and must be given opportunities to participate in the process of nurturing their own socially responsible attitudes and behaviors.

I do not believe these thoughts are dreams or fanciful speculations, but rather they can be tangible realities for many principals, students, teachers and parents. I have described the learning environment which characterizes some schools in Detroit. Other schools have far to go. All of us need to ask how far our school is from this ideal and what can we do to transform these ideals into our school's reality?

II. LEGAL INFLUENCES ON STUDENT RIGHTS AND SCHOOL DISCIPLINE

SUPREME COURT OF THE UNITED STATES

Syllabus

GOSS et al. v. LOPEZ et al.

On Appeal from the United States District Court
for the Southern District of Ohio
No. 73-898. Argued 16 October 1974--
Decided 22 January 1975

Ohio public high school students, who had been suspended from school for misconduct for up to 10 days without a hearing, brought a class action against the school officials seeking a declaration that the Ohio statute permitting such suspensions was unconstitutional and an order enjoining the officials to remove the references to the suspensions from the students' records. A three-judge District Court declared that the students were denied due process of law in violation of the Fourteenth Amendment because they were "suspended without hearing prior to suspension or within a reasonable time thereafter," and that the statute and implementing regulations were unconstitutional, and granted the requested injunction. The case was appealed directly to the Supreme Court as is the procedure where a state law has been held unconstitutional.

The Supreme Court in its opinion held:

1. Students facing temporary suspension from a public school have property and liberty interests that qualify for protection under the Due Process Clause of the Fourteenth Amendment.

(a) Having chosen to extend the right to an education to people of appellees' class generally, Ohio may not withdraw that right on grounds of misconduct, absent fundamentally fair procedures to determine whether the misconduct has occurred. The school must recognize a student's legitimate entitlement to a public education as a property interest protected by the Due Process Clause, which may not be taken away for misconduct without observing minimum procedures required by that Clause.

(b) Since misconduct charges if sustained and recorded could seriously damage the students' reputation as well as interfere with later educational and employment opportunities, the State's claimed right to determine unilaterally and without process whether that misconduct has occurred immediately collides with the Due Process Clause's prohibition against arbitrary deprivation of liberty.

(c) A 10-day suspension from school is not de minimis and may not be imposed in complete disregard of the Due Process Clause. Neither the property

interest in educational benefits temporarily denied nor the liberty interest in reputation is so insubstantial that suspensions may constitutionally be imposed by any procedure the school chooses, no matter how arbitrary.

2. Due process requires, in connection with a suspension of up to 10 days, that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his version. Generally, notice and hearing should precede the student's removal from school, since the hearing may almost immediately follow the misconduct, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable.

-----F. Supp.-----, affirmed.

White, J., delivered the opinion of the Court, in which Douglas, Brennan, Stewart, and Marshall, JJ., joined. Powell, J., filed a dissenting opinion, in which Burger, C.J., and Blackmun and Rehnquist, JJ., joined.

SUPREME COURT OF THE UNITED STATES

Syllabus

WOOD et al. v. STRICKLAND et al.

Certiorari to the United States Court of Appeals for the Eighth Circuit
No. 73-1285. Argued 16 October 1974
Decided 25 February 1975

Arkansas high school students, who had been expelled from school for violating a school regulation prohibiting the use or possession of intoxicating beverages at school or school activities, brought suit under 42 U.S.C. § 1983 against school officials, claiming that such expulsions infringed their rights to due process and seeking damages and injunctive and declaratory relief. The District Court directed verdicts for the school officials on the ground that they were immune from damages suits absent proof of malice in the sense of ill will toward the students. The Court of Appeals, finding that the facts showed a violation of the students' rights to "substantive due process," since the decisions to expel them were made on the basis of no evidence that the regulation had been violated, reversed the decision of the district court and remanded the case for appropriate injunctive relief and a new trial on the question of damages. An appeal was taken to the Supreme Court.

The Supreme Court in its opinion held:

1. While on the basis of common-law tradition and public policy, school officials are entitled to a qualified good-faith immunity from liability for damages under § 1983, they are not immune from such liability if they knew or reasonably should have known that the action they took within their sphere of offical responsibility would violate the constitutional rights of the student affected, or if they took the action with the malicious intention to cause a deprivation of such rights or other injury to the student. But a compensatory award will be appropriate only if the school officials acted with such an impermissible motivation or with such disregard of the student's clearly established constitutional rights that their action cannot reasonably be characterized as being in good faith.

2. When the regulation in question is construed, as it should have been and as the record shows it was construed by the responsible school officials, to prohibit the use and possession of beverages containing any alcohol, rather than as erroneously construed by the Court of Appeals to refer only to beverages containing in excess of a certain alcoholic content, there was no

absence of evidence to prove the charge against respondents, and hence the Court of Appeals' contrary judgment is improvident. Secion 1983 does not extend the right to relitigate in federal court evidentiary questions arising in school disciplinary proceedings or the proper construction of school regulations and was not intended to be a vehicle for federal court correction of errors in the exercise of school officials' discretion that do not rise to the level of violations of specific constitutional guarantees.

3. Since the District Court did not discuss whether there was a procedural due process violation, and the Court of Appeals did not decide the issue, the Court of Appeals, rather than this Court, should consider that question in the first instance.

485 F. 2d 186, vacated and remanded.

White, J., delivered the opinion of the Court, in Parts I, III, and IV of which all other Members joined, and in Part II of which Douglas, Brennan, Stewart, and Marshall, JJ., joined. Powell, J., filed an opinion concurring in part and dissenting in part, in which Burger, C.J., and Blackmun and Rehnquist, JJ., joined.

THE SUPREME COURT AND DUE PROCESS: A SURVEY OF CONFERENCE PARTICIPANTS

Judith A. Hale*

In April, 1975, The Program for Educational Opportunity sponsored a one day conference concerning the new Supreme Court decision in Goss v. Lopez, where the Court ruled that students facing suspensions of 1 to 10 days are entitled to a hearing prior to the suspension. Before the conference began, participants were asked to complete a survey relating to the Lopez decision. The survey was designed to measure attitudes toward the decision, and also questioned respondents about implemenation in their home districts.

The survey measured a variety of opinions concerning the Court's decision -- the need for the decision, satisfaction with its contents, problems of implementation, etc. Eighty-two responses (75%) were received from the 110 participants registered for the conference. The demographic data show that although a large range of positions within the educational community was represented at this conference, over half of those attending were building administrators. These are, of course, the persons who will be directly involved in the implemenation of the Lopez decision. Twenty-seven Michigan school districts were represented at the conference, but the participants in this conference do not represent a random sample of the educational community, and the results cannot therefore, be directly generalized to others. It should also be noted that these participants were self-selected to attend the conference, and thereby may bias results. The large representation, however, of those directly responsible for implementation of the Lopez decision provides PEO with valuable information about feelings toward the decision and problem areas which may require attention by PEO in its work with represented districts.

Responses to Questions

The survey results show general agreement that there was a need for the Lopez decision on short

*Judith A. Hale at the time of this survey was a research associate for the Program for Educational Opportunity.

suspensions. Seventy-three percent (82) agreed that "there was generally a need for the Supreme Court decision to govern short-term suspensions of students." A number of those who agreed there was "generally" a need for the decision, however, felt that the action was not really needed in their own districts. Forty-five percent (36 respondents) felt that there was no need for such action in their school district. An almost equal number forty-six percent (37) felt that the Supreme Court was not an appropriate authority to regulate short-term suspension practices.

Questions designed to elicit opinions about the contents of the decision had more variable results. Those on one side believe the decision goes too far and those on the other side believe the decision does not go far enough in providing due process protection for students. Thirty-five percent (26) of those responding to the survey disagreed that the Lopez decision "satisfies most of the legitimate objections to previous short-term suspension practices." On the other hand, forty percent (32) of the respondents agreed that the Lopez decision "goes beyond what is reasonably necessary to protect the interests of students and parents." Although these two groups account for three-fourths of those responding to the survey, the relative balance in size seems to indicate that the Supreme Court has effectively compromised the views of the two dissenting groups.

Respondents agreed that there would be some measure of inconvenience in implementing the Lopez decision. A majority of those responding, (58.8%) agreed that "considerable staff training is necessary for the effective implementation of the decision." An equal percentage (58.9%) however, felt the Supreme Court had not required significant revisions of previously designated policies and practices in their district. This result, coupled with the number who felt there was no need for the Lopez decision in their districts, leads to the conclusion that forty to fifty percent of the respondents felt their districts were in compliance with the Lopez decision. It is not suprising, therefore, that a majority (61.8%) felt the value of the decision outweighs its administrative inconveniences.

Most survey respondents did not expect the Lopez decision to seriously affect the usefulness or frequency of short-term suspensions. Fifty-seven percent (46 respondents) disagreed that "requiring an informal hearing before a student can be suspended will reduce the use of short-term suspensions." And sixty-nine percent (55) disagreed that "short-term suspensions will be less useful as a corrective measure as a result of requiring a hearing prior to suspension." Again, this response may partially be

explained by the fact that close to half the respondents see their districts as being in compliance with the Lopez decision. Since this group sees no change in practices resulting from the decision, they would not be likely to see change in the number or effectiveness of their short-term suspensions.

The survey results support the need for all members of the educational community to be informed of their rights and obligations under the Lopez decision. Over ninety percent of those responding felt that parents and students are not knowledgeable about their rights under the Lopez decision. Respondents were more positive when evaluating their own knowledge of the decision--41.7 percent rated their knowledge as "good" or "excellent;" 32.9 percent rated their knowledge as "adequate." In view of the feeling expressed in this survey that a number of districts are in compliance with the Supreme Court decision, it is especially important that these perceptions be based on accurate knowledge of the obligations of school districts under the decision.

Responses to Questions About Implementation

Looking forward to assisting school districts in implementing the Lopez decision, survey respondents were asked to describe what aspects of the decision they saw as presenting the greatest problem. The most often mentioned problem was implementation of the hearing itself and defining what constitutes a hearing under the decision. These concerns included who the hearing judge should be, who should represent the student, etc. The next largest group was concerned about the extra time and personnel that will be necessary for implementation of the hearings. An equal number, however, indicated they expected no problems since their districts have already been providing hearings before suspensions. Another group was concerned about the school community's understanding of the provisions of the decision. This group felt the greatest problem would be informing students, parents and school personnel of their rights and obligations under the decision. Yet another group was concerned that implementation would be hindered by resistance and negative reactions on the part of school personnel. Additional concerns included enforcement, allowing students to remain in school before the hearing, getting parents to come to school, what to do with longer suspensions, and bad community relations.

Respondents were also asked questions designed to provide information concerning how districts learn of and respond to new laws such as the Lopez decision.

The most often mentioned (20) source of copies of the Lopez decision was the respondent's school district, particularly the central administration office. A large number (15) also received copies from school related associations, followed closely by various forms of publications and the Program for Educational Opportunity. School related associations were most often mentioned as being helpful in understanding a district's obligations under the decision. The school district, (including administration, meetings, in-services and discussions with colleagues) the decision itself and newspapers were also mentioned by several respondents as being helpful.

Extent of Implementation of Decision

PEO was also interested in the extent to which the provisions of the Lopez decision were being implemented, specifically, providing a hearing prior to suspension. As expected from previous results, a large number of respondents (36) indicated their districts were already doing this. Another nine indicated such hearings would be provided immediately by their districts. Four respondents apparently misread the question, indicating at what point in time the hearing was to be held, while two respondents simply answered "yes." These answers do at least imply an intent to provide hearings. Finally, eleven respondents indicated they had no responsibility for providing such hearings (these included students and staff from related agencies).

Fifty-eight percent (49 of the 85 respondents) said their districts intended to inform or had already informed parents and students of their rights under the Lopez decision. The most utilized method for disseminating the information was by direct mailings to homes in the district. Nine indicated they would utilize workshops or conferences while five indicated they would use in-person or telephone contacts. Another four respondents said the public media would be the method utilized. The remaining six respondents indicated that providing such information was not their responsibility.

Conclusion

The above survey results show there was general support for the Supreme Court's Lopez decision governing short-term suspension, but some variation in reaction to the actual content of the decision. A substantial number (40%) felt the decision went too far and a somewhat smaller group indicated the deci-

sion had not satisfied all legitimate complaints about suspension practices.

The survey results point strongly to the need for districts to have complete, accurate knowledge of what constitutes a hearing prior to suspension. For those who feel their districts are already in compliance with the hearing requirement, it is crucial that this perception is based on accurate knowledge. This is particularly important in light of the fact that a number of respondents mentioned the defining of a hearing, hearing judge, etc., as most likely to be the source of problems in implementation.

Finally, it is imperative that parents and students themselves have accurate information concerning their rights and obligations under the Lopez decision. Respondents almost unanimously agreed that parents and students were not knowledgeable concerning the decision. Certainly effective implementation of the Lopez decision will be facilitated by students having knowledge of their rights when facing a short-term suspension.

Short-Term Suspension Survey

Response to:

1. There was generally a need for the Supreme Court's decision to govern short-term suspensions of students.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 1	29.6%	43.2%	18.5%	8.6%
TOTAL: 82	(24)	(35)	(15)	(7)

2. There was no need for such action in our district.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 4	11.5%	34.5%	35.9%	17.9%
TOTAL: 82	(9)	(27)	(28)	(14)

3. The U.S. Supreme Court is an inappropriate authority to regulate short-term suspension practices.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 2	12.5%	33.8%	36.3%	17.5%
TOTAL: 82	(10)	(27)	(29)	(14)

4. The Lopez decision satisfies most of the legitimate objections to previous short-term suspension practices.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 8	5.4%	59.5%	29.7%	5.4%
TOTAL: 82	(4)	(44)	(22)	(4)

5. The Supreme Court has required significant revision of previous policies and practices in our district.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 8	5.4%	25.7%	47.3%	21.6%
TOTAL: 82	(4)	(19)	(35)	(16)

6. The Supreme Court decision provides helpful guides to districts for conducting short-term suspension hearings.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 4	5.1%	69.2%	20.5%	5.1%
TOTAL: 82	(4)	(54)	(16)	(4)

7. The decision goes beyond what is reasonably necessary to protect the interest of students and parents.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 2	7.5%	32.5%	43.8%	16.3%
TOTAL: 82	(6)	(26)	(35)	(13)

8. Requiring an informal hearing before a student can be suspended will reduce the use of short-term suspensions.

MD= 1	3.7%	39.5%	48.1%	8.6%
TOTAL: 82	(3)	(32)	(39)	(7)

9. The value of the decision outweighs its' administrative inconveniences.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 1	14.8%	46.9%	29.6%	8.6%
TOTAL: 82	(12)	(38)	(24)	(7)

10. Most parents and students are knowledgeable about their rights under the Lopez decision.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 3	0%	8.9%	51.9%	39.2%
TOTAL: 82		(7)	(41)	(31)

11. Short-term suspension will be less useful as a corrective measure as a result of the Supreme Court requiring a hearing prior to suspension.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 2	7.5%	23.8%	58.8%	10.0%
TOTAL: 82	(6)	(19)	(47)	(8)

12. Considerable staff training is necessary for the effective implementation of the decision.

	Strongly Agree	Agree	Disagree	Strongly Disagree
MD= 2	17.5%	41.3%	35.0%	6.3%
TOTAL: 82	(14)	(33)	(28)	(5)

13. How would you rate your understanding of the decision on due process requirements for short-term suspensions?

	Excellent	Good	Adequate	Fair	Poor
MD= 3	13.9%	27.8%	32.9%	16.5%	8.9%
TOTAL: 82	(11)	(22)	(26)	(13)	(7)

14. What aspects of the decision do you foresee as presenting the greatest problem?

	# Responses
Resistance and negative reactions on part of school personnel	5

	# Responses
None, have been providing hearings	8
Definitions and implementation What constitutes a hearing? Who shall be hearing judge, etc.	10
Extra time and personnel necessary	8
Allowing student to remain in school before hearing	2
Enforcement	3
Informing school community of rights and obligations	7
Getting parents to come to school	1
What to do with longer suspension	1
Bad community relations (militancy)	1
No responses (MD)	38
TOTAL:	84

15. From what source(s) did you acquire a copy of the decision?

	# Responses
School District - central administration and departments	20
School Related Associations (MASSP, NASSP, BASA)	15
Program for Educational Opportunity	9
Board of Education	3
Publications: newspaper, journal, newsletter	10
Class	3
State Department of Education	3

	# Responses
U.S. Senator	1
Colleague	1
Attorney	1
Schools and Colleges	3
Don't have a copy yet	3
Johnson Educational Counseling	1
TOTAL:	73

16. What sources and/or materials were most helpful in understanding the obligation of districts under the decision?

	# Responses
School Related Associations and their publications (MASSP, NASSP, BASA)	16
School District: administration, meetings, in-service, discussions	7
The decision itself	5
Newspaper	5
Program for Educational Opportunity	1
Literature from State Board of Education	1
N.O.C.P.E.	1
Still need such help	3
Not applicable	3
TOTAL:	42

17. As of what date do you intend to provide student with a hearing prior to suspension?

	# Responses
We already do	36

	#Responses
Immediately	9
Other	6
Not applicable	11
TOTAL:	62

18. Do you intend to, or have you already informed parents and students of their rights under the decision?

	# Responses
Yes	30
Have already done so	19
No	5
Not responsible for this	5
Not unless they ask	1
TOTAL:	60

19. How will this be accomplished?

	# Responses
Mailing written material	26
Workshops/Conferences	9
Verbal contact (telephone, in-person)	5
Public media	4
Not responsible for this	6
TOTAL:	50

DEFINING THE SCOPE OF DUE PROCESS IN THE EDUCATIONAL SETTING

Junious Williams*

I would like to talk about the role that educators must play in defining the scope of due process in the educational setting. There are many educators who believe that the total responsibility for defining due process long ago devolved from the educational leadership to the courts, leaving nothing for educators to do except accommodate the ever-expanding judicial definitions. Indeed, the history of defining due process in education has been overwhelmingly a legal one. For the past fifteen years, countless numbers of students and lawyers have gone into state and federal courts asking judges to expand and redefine the scope of due process in the educational setting. In a great number of those cases, student pleas for expanded definitions of their due process rights have struck responsive chords. But the notion that judicial involvement precludes an active role for educators and limits them to the position of passive caretaker is erroneous. The presently perceived absence of viable roles for educators in defining due process results from a lack of understanding of the basic constitutional concepts underlying judicial decisions and judicial involvement.

Since the Supreme Court decision in Brown v. Board of Education of Topeka,[1] the courts have, with increasing regularity, found it necessary to intervene in school-student disputes to adjudicate constitutional rights. That involvement has established an unmistakable pattern of constitutional protection of educational rights and has made the courts a significant force in the development of educational policies and practices. But, despite the obvious influence of the courts and the constitution upon educational policies and practices for the past two decades, educational practitioners for the most part remain unfamiliar with both the judicial function in adjudicating constitutional rights and the basic constitutional principles underlying the numerous decisions. As a result of their unfamiliarity with the judicial function and constitutional principles, educators have been unable

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to ascertain the nature of their definitional role. Instead, they have reacted to those decisions with animosity towards the legal profession and resistance to the provision of constitutional rights to students.

I believe that the courts have given educators a major role to play in defining the scope of due process. But in order for educators to responsibly fulfill that role, some basic changes must occur. The first step towards educator involvement in the definitional process is for educators to begin to learn about our constitution both generally and in its specific applications to the educational setting. The kind of knowledge that is necessary is more than the abbreviated, misleading type contained in most of the textbooks circulating in secondary civics courses and educational leadership courses on the graduate level. It appears that educators have at least two main informational sources for learning about the constitutional rights of students: university courses and professional literature. But both sources are inadequate to give educators the type of theoretical and practical knowledge of constitutional law necessary to participate responsibly in the definitional process. In an article entitled "Student Rights, Legal Principles, and Educational Policy," Professor Mandel of the Temple University Law School recounts a study conducted by Michael Kirsch.[2] In analyzing articles in educational journals relating to the Supreme Court's decision in Tinker v. Des Moines,[3] Mr. Kirsch reported that he did not find a single article in the more than 100 he reviewed which accurately described the history and the nature of the legal principles underlying that decision. The textual material from the area of educational administration hardly fairs any better in terms of accuracy. And it is worse to the extent that it contains case law which is sorely outdated, and dangerously subjective in its interpretation. Educators should demand from schools of education and law schools courses that address the problems of education and law, so that they can learn the basic tenets of constitutional law in the educational setting and obtain the analytical skills necessary for effective, responsible participation in defining the scope of due process. Practitioners should also demand from professional organizations that journals contain articles with accurate, substantive information so that practitioners can remain abreast of the broad definition given them by the courts in which educators must specifically define due process. And finally, educators should abandon the nonsensical and self-defeating position that due process is not compatible with the missions of public education. If rudimentary concepts of due process are not compatible with public education as it presently exists, then the need for restructuring

of education and purging of recalcitrant educators is clear. While both public education and the due process clause have had their shortcomings, due process has at least demonstrated that it is flexible enough to adapt to the ever-changing needs of society. And that is a claim which cannot justifiably be made for public education.

Once educators gain this new understanding and appreciation for constitutional theory and practice, the obvious question is: what can be done with it in terms of defining due process? Although the nature of the educator's role will become evident with more knowledge and understanding, I would like to give you my view of that role.

On the most practical level, educators have always retained the authority and responsibility for defining the specific scope of due process in education. Contrary to popular views, in almost every judicial decision relating to due process for students, the courts have left educators a great deal of definitional latitude. The relationship of the courts and educators in defining due process is outlined in many of those cases, as it is in Dejesus v. Penberthy, where Judge Newman wrote:

> However flexible the contours of due process may be in the context of school disciplinary hearings, the ascertainment of the outer limits is a judicial function under the Fourteenth Amendment. Of course, school authorities must have some discretion in developing fair procedures. Hopefully, they will not assume that the minimums of the due process clause as determined by the courts are all that they as school administrators should determine to accord students as a matter of sound educational policy.[4]

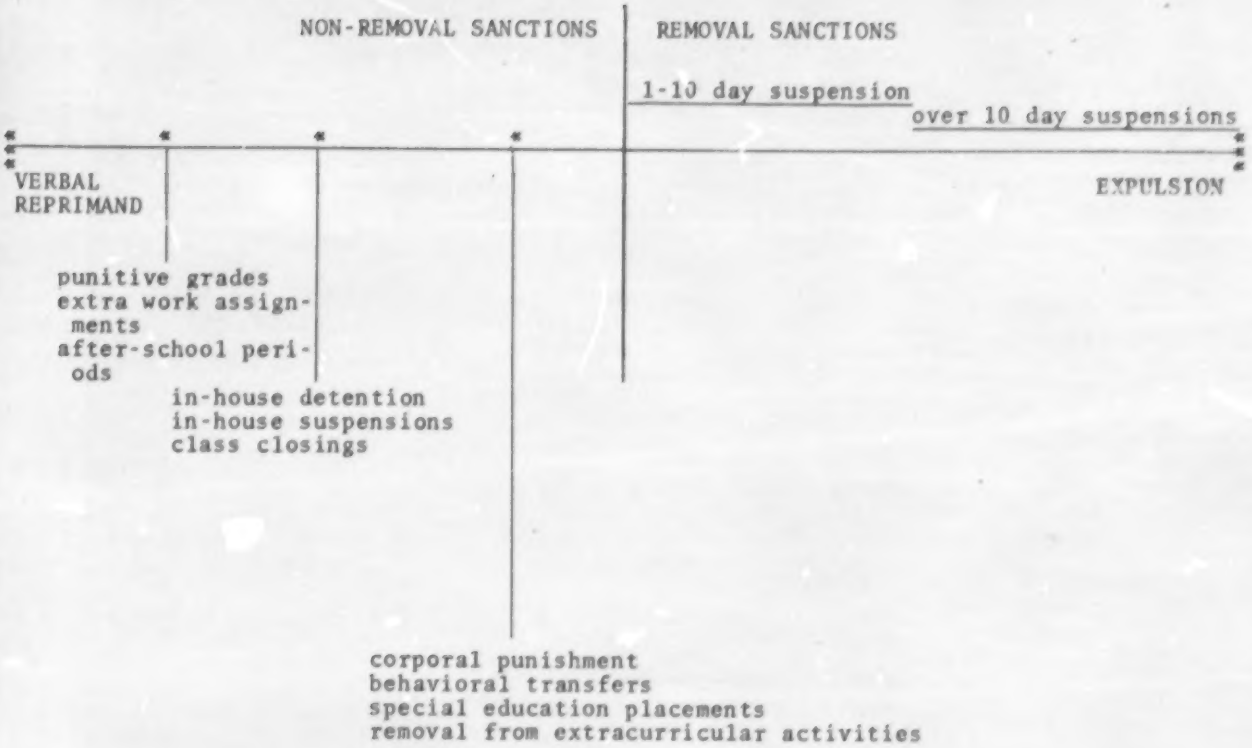
One clear function of educators then is to define due process through the promulgation of specific policies relating to the provision of due process for students. Within the parameters of judicial decision relating to due process, educators have the responsibility for specifically defining what the precise scope of due process will be afforded to insure a fair determination.

On a second and equally practical level educators have the responsibility for defining due process in areas where the courts have not been involved. In 1961 when the Fifth Circuit Court of Appeals heard the case of Dixon v. the Alabama State Board of Education,[5] there was practically no context in which courts saw due process as a restraint on the exercise of administrative authority. In fact, the Lower Court

in the Dixon case concluded that due process protections were inapplicable to disciplinary expulsion proceedings in state-supported educational institutions.[6] Of course, the Fifth Circuit reversed that lower court decision and held that students were entitled to rudimentary procedural safeguards in the form of notice of charges and evidence and the opportunity to present a defense.[7] Following the Dixon case has been a long line of cases redefining the scope of due process. Close examination of those cases reveals a definite trend in judicial decisions which indicates a pattern of judicial involvement

It is perhaps easier to illustrate my point diagrammatically (see following page). The horizontal line represents a continuum of school-imposed sanctions. The point on the extreme left represents the mildest forms of sanction--such as a verbal reprimand. As you move from left to right on the continuum, the sanctions become more severe: such things as punitive grades, 7th hours, extra-work assignments, denial of privileges, and so forth. At about the middle of the continuum, we reach such sanctions as corporal punishment, removal from extra-curricular activities, behavioral transfers, special education placements and similar sanctions. In the final quarter of the continuum are sanctions which involve the removal of the student from school. Those sanctions range from one-day suspensions all the way up to expulsion of the student. In the Dixon case, the Fifth Circuit for the first time applied due process safeguards to expulsion cases. Over the fifteen-year period since Dixon, the courts have gradually moved towards the left of the continuum, applying due process to less severe disciplinary sanctions. With the Supreme Court decision in Lopez extending due process safeguards for one- to ten-day suspensions,[8] the entire area of student removals is now covered by some degree of due process safeguards. The middle area of non-removal sanctions has also gained some judicial attention. For instance, recently the Fifth Circuit Court of Appeals ruled that students are entitled to rudimentary due process protections before the imposition of corporal punishment. In Ingraham v. Wright,[9] the Court held that due process requires that students know and understand rules. The Court went on to state that:

> If a student must know and understand the rule under which he is to be punished then clearly the school authorities must tell him before he is punished precisely what he has done which merits punishment. If the student claims that he is innocent of the conduct which merits punishment, school officials should make sufficient inquiries


NON-REMOVAL SANCTIONS
REMOVAL SANCTIONS
1-10 day suspension
over 10 day suspensions
VERBAL REPRIMAND
EXPULSION
punitive grades
extra work assign-ments
after-school peri-ods
in-house detention
in-house suspensions
class closings
corporal punishment
behavioral transfers
special education placements
removal from extracurricular activities

to insure that, to the contrary, the student is guilty beyond any reasonable doubt. After all, once the student is corporally punished, no retraction of punishment is possible. This means that eyewitnesses should be questioned by the principal or his designee and the student should be allowed to call witnesses in his own behalf. Also, the student should be allowed to respond to the witnesses against him, and in some cases he should be accorded an opportunity to ask them relevant questions. Of course, all of this may take place in an informal setting, and no formal rules of procedure of evidence need be followed.[10]

However, towards the left half of the continuum there are still few instances where the courts have intervened and required the application of due process procedures. It is in the area of sanctions not involving removals from school where educators still have wide latitude to formulate definitions of due process. Educators can either undertake to formulate acceptable definitions of due process for those situations or await the inevitable involvement of the courts.

So, it is clear that educators have two major and practical areas in which they can exercise educational judgment in defining due process:

1. They can define the precise scope of due process protections to be afforded students in areas where the courts have outlined broad parameters.

2. They can also explore the areas where other important rights are affected by educational decision-making to determine whether due process safeguards should be applied and the nature of those safeguards.

But both of these involvements in defining due process are legally prompted responses. I believe that there is a third and more important involvement for educators. And that is to develop new structures which help students to understand and experience a full due process system. One of the unfortunate results of the way in which due process came about in schools is that the judicial and educational discussions have always been in the context of how schools may deal with the non-conforming student. Consequently, due process has come to be most often thought of in negative terms. As the previous discussion relating to the continuum indicated, due process has been an issue only when the school has found it necessary to take punitive action against a student. Due process has never had application as an educational tool. Therefore, the majority of students, who have never been caught in the throes of the disciplinary process, view it as a foreign concept and practice

that is mentioned in the civics textbook. It is indeed a shocking situation if the only way a student may obtain practical experience with due process is to be charged with conduct constituting gross misdemeanor or persistent disobedience. The situation becomes intolerable when viewed in light of the fact that we justify our massive educational complexes by saying that we are providing young people with a non-threatening, low-risk atmosphere in which to learn about our society, its history, laws and processes.

The challenge facing educators is to define new structures that have as their cornerstones due process safeguards and procedures. People learn best by experiencing, and students are no exception. There is no more important lesson that students may learn from public education than how individual and institutional rights are adjudicated in the society.

Creating a due process structure for education means that those who make decisions affecting students are subject to challenge by the student involved in order to demonstrate the fair basis of their decisions. It means that the decisional processes are open to student examination and that students are encouraged to examine them. Basically, defining due process structurally means that educators become accountable to those whom they are paid to serve--the students. There is no justifiable reason for education in a supposed constitutional democracy to ignore constitutional principles in its structure and practices. In the final analysis, due process in schools is simply about being fair in the treatment of students. Fair rules, fair procedures and the fair administration of discipline is the least that we should demand of those entrusted with the future of children.

Notes

[1] Brown v. Board of Education of Topeka, 347 US 483 (1954).

[2] Mandel, R. "Student Rights, Legal Principles, and Educational Policy," Intellect 103 (January 1975) 236-39.

[3] Tinker v. Des Moines Public Schools, 393 US 503 (1969).

[4] Dejesus v. Penberthy, 340 F.Supp. 70, 74 (D.C. Conn. 1972).

[5] Dixon v. Alabama State Board of Education, 294

F.2d. 150 (5th Cir. 1961).

[6]Dixon v. Alabama State Board of Education, 186 F.Supp. 945 (M.D. Ala. 1960).

[7]Dixon v. Alabama, 294 F.2d. 150, 159 (5th Cir. 1961).

[8]Goss v. Lopez, 43 U.S.L.W. 4181 (Jan. 22, 1975).

[9]Ingraham v. Wright, 498 F.2d. 248 (5th Cir. 1974).

[10]id at 267.

LIABILITY FOR VIOLATING STUDENT RIGHTS

Charles Vergon*

Many school officials perceive judicial involvement in education as interference and as an attempt to usurp administrative discretion. Student rights advocates, on the other hand, contend that legal intervention is not the result of judicial desire to seize the prerogatives of educators. It is rather a result of educators' failure to discern the evolving legal principles applicable in the school context or their failure to implement them. Regardless of the reason, the last decade has witnessed a pattern of increasing judicial intervention and decreasing administrative discretion in American public education, particularly at the elementary and secondary level.

Though the Supreme Court's recent decision in Wood v. Strickland [420 U.S. 308 (1975)] does not constrict the discretion of school officials, it should enhance the likelihood that discretion will be exercised responsibly by imposing monetary liability on those who violate the rights of students. This article will summarize the standard of liability established by the court, review its application in a few subsequent cases, and tender some suggestions for districts to consider in minimizing the vulnerability of their employees.

The Case

Three sixteen-year-old girls "spiked" the punch served at a meeting of an extracurricular school organization attended by parents and students. Ten days later, upon learning what took place, a teacher questioned the girls and subsequently recommended that they admit to the principal what they had done. The principal suspended the three for a maximum of two weeks subject to the decision of the school board, on the charge of violating a school rule prohibiting the use or possession of intoxicating beverages.

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At a board meeting, which neither the students nor their parents attended, additional information came to the board's attention, including the fact that one of the girls was in a fight on the night of the extracurricular meeting. The board voted to expel the girls from school for the balance of the semester, a period of approximately three months. At a subsequent meeting which the girls and their parents attended, the board voted to uphold its earlier decision.

The parents of two of the girls brought suit claiming their constitutional rights to substantive and procedural due process had been violated. They sought compensatory and punitive damages from board members pursuant to 42 U.S.C. 1983 as well as more traditional injunctive relief that would compel the girls' readmission and invalidate the school rule under which they were charged.

The Supreme Court held on the substantive due process issue that except where errors in discretion violate specific constitutional guarantees,

> ...1983 does not extend the right to relitigate in federal court evidentiary questions arising in school disciplinary proceedings or the proper construction of school regulations (326).

Though the court remanded the question of a possible procedural due process violation back to the court of appeals, it dealt at length with the public policy issues and proper standard of liability associated with imposing money damages on school officials under 1983.

Public Policy and the Standard of Liability

Historically the state and its officials have enjoyed immunity from monetary liability. The concept of soverign immunity has its origins in the principle that the state can do no wrong and even if it did err, paying the wronged party out of the pockets of taxpayers would not be equitable nor would it serve as a deterrent to future inappropriate conduct. Frequently courts have also expressed concern about the readiness of individuals to assume certain public positions if by their discretionary exercise of authority their private resources were made vulnerable.

On the other hand, constitutional rights are at the cornerstone of our system of government and must be safeguarded. If the potential for liability were not present, individuals acting under the color of state authority could exercise their discretion

irresponsibly or in disregard of the rights of students. The reconciliation of these countervailing institutional and individual interests was achieved by the Court in the form of a qualified or limited immunity.

The Court held in the school discipline context that:

> [A] school board member is not immune from liability for damages under 1983 if he knew or reasonably should have known that the action he took within the sphere of his official responsibility would violate the constitutional rights of the student affected or if he took the action with the malicious intention to cause a deprivation of constitutional rights or other injury to the student (322).

Few people would argue that school officials should be protected from liability in the situation where they knowingly and intentionally violate the rights of students. However, the Court acknowledged that it is little consolation to a student that his or her constitutional rights have been violated out of ignorance rather than out of malice. Pursuing this rationale the Court noted that:

> ...A school board member, who has voluntarily undertaken the task of supervising the operation of a school, must be held to a standard of conduct based not only on permissible intentions, but also on knowledge of the basic, unquestioned constitutional rights of his charges (322).

While ignorance is not a defense to a liability action, the Court makes it clear that school board members are not "charged with predicting the future course of constitutional law" (322).

Though the preceeding pronouncement suggests that educators will be held responsible for knowing the established constitutional rights of students, it is tempered by the court's statement elsewhere that:

> A compensatory award will be appropriate only if the school board member has acted...with such disregard of the student's clearly established constitutional rights that his action cannot reasonably be characterized as being in good faith (322).

The interrelationship of these two pronouncements is unclear at the present. Do they suggest that liability must be predicated on demonstrating the existence of "settled" law and a finding that the normally prudent school official reasonably should have apprised himself or herself of the law? Or is action inconsistent with "settled" law invariably to be equated with a lack of good faith, as Justice Powell's dissent seems to imply (329)?

If the latter interpretation is appropriate then the inquiry is singular: "Is the law settled?" However, if the former conceptualization of the test is accurate, two inquiries are necessitated: "Is the law settled?" If so, "Should the prudent school official have been aware of the law?"

Application of the Standard

Because of the nature of the judicial process, a clear understanding of the standard articulated by the Court in Wood is dependant on its application in subsequent cases. While those cases have yet to reach the Supreme Court, though certiorari has been granted in one [Piphus v. Carey 450 F.2d 30 (1976)], a number have already reached the appellate courts.

Establishing what constitutes a "settled" constitutional principle that school officials should have been aware of, seems, not surprisingly, to be a frequently contested issue in these cases.

That there may be considerable dispute about what constitutes "undisputed" constitutional rights is not belied by the early application of Wood, but the cases do provide some guidance on how courts will assess the certainty of the law and the school official's responsibility to be knowledgeable about it.

Two months after the Supreme Court's decision in Wood, the Fourth Circuit Court of Appeals had an opportunity to review a student rights case in which monetary damages were sought. The student challenged a school requirement that all male students complete a tenth grade ROTC program as a prerequisite for graduation. The student alleged that such a requirement violated his First Amendment freedoms of religion and expression [Sapp v. Renfroe, 511 F.2d 171]

In affirming the trial court's determination that the case was moot due to the graduation of the student from another school, the appeal court discussed in dicta whether the student had a right not to attend the course, and if so, whether such a right could be deemed "settled" under the Supreme Court's test in Wood. The court of appeals identified the Supreme Court's decision in West Virginia v. Barnette [319 U.S. 624 (1943)] as the authoritative case most

closely approximating the one before them.

The court of appeals noted it was unaware of any Supreme Court or Fifth Circuit opinion interpreting Barnette to mean that students have a right to be excused from a course with which they disagree. The only similar reported decision on the issue was in the Sixth Circuit where the court sided with the student [Spence v. Bailey, 465 F.2d 797 (1972)]. The Fifth Circuit Court of Appeals, however, largely dismissed this non-binding precedent, observing that "the cogency of the dissent [illustrates] the lack of constitutional certitude in the area" [178]. Thus the court concluded:

> In the absence of authoritative decisions from the Supreme Court, from this court, or even from other circuits, we hold as a matter of law that the Board did not violate [the student's] clearly established constitutional rights [178].

In the context of another case, a federal district court adopted the position that "...the law can be settled without there having been a specific case with identical facts which was decided adversely to the school officials" [Picka v. Wielgos, 410 F. Supp. 1214, 1219]. The case involved the search of three thirteen-year-old girls by school officials in the presence of police. The search, which was conducted to obtain illegal drugs, netted none. The court, citing state court cases from Delaware, Texas and New York, as well as federal cases involving post-secondary institutions, concluded that "It was clear... that students in public schools were not relieved of the protection of the [Fourth] Amendment ...(1219-20).

Based on an Illinois Supreme Court decision, two U.S. Supreme Court decisions, neither of which involved educational settings and "the thrust of most state and federal decisions," the trial judge found that any search would have to be reasonably justified in terms of the school's legitimate interest. Since police were involved, the judge held that the standard of probable cause for an actual arrest must be met to justify the search.

The motion of school officials for a directed verdict on the grounds that the law was unsettled and no malice could be demonstrated was denied.

A third case [Schiff v. Williams, 519 F. 2d 257 (5 Cir. 1975)], illustrating what may be deemed to constitute "settled" law, involved the editors of the student newspaper at Florida Atlantic University. The students were dismissed on grounds that the paper had deteriorated and reflected discredit on the university as a result of poor grammar, spelling, language, inaccuracy and rumor mongering. They sued the university president for damages and other relief.

The trial court held the students' First Amendment rights of free press were violated and the court of appeals for the Fifth Circuit did not disturb this finding. Although the court cited U.S. Supreme Court decisions involving the rights of university students to organize [Healy v. James, 408 U.S. 169 (1972)] and to express themselves through publications [Papish v. Board of Curators, 410 U.S. 667 (1973)], it assigned particular importance to a Fifth Circuit case, which it deemed dispositive in the area of regulating the content of student publications [Bazaar v. Fortune, 476 F. 2d 570, reh en banc, 489 F. 2d 225 (5 Cir. 1973)]. The settled constitutional right established by Bazaar was that:

> ...once a university recognizes a student activity which has elements of free expression, it can act to censor that expression only if it acts consistent with First Amendment constitutional guarantees (261).

These cases reflect a variety of perceptions of what constitutes "settled" constitutional law. While all the cases make apparent the importance of a pre-existing Supreme Court ruling or an appellate decision in the respective circuit, some courts seem to accord greater weight than others to non-controlling precedent from other jurisdictions. For instance, the Picka court accorded weight to a number of state and lower federal court decisions, particularly where the cases as a group revealed a relatively consistent result. Sapp by contrast, summarily dismissed the importance of another circuit's holding in a remarkably similar case.

The readiness of courts to analogize "basic and well settled" legal principles to previously unlitigated factual situations also appears to vary substantially. Sapp is the most hesitant in this regard; Picka the boldest.

In addition to addressing what constitutes "settled" constitutional law, these and other post-Wood cases require an implicit if not explicit formulation of the good faith defense. Unfortunately most courts have failed to discuss their decisional processes in analytic terms. Nevertheless, it seems that some courts are adopting a negligence-like approach to ascertaining conduct "that cannot be characterized as good faith" rather than automatically equating ignorance with bad faith.

While this seems like the more realistic approach, educators should not assume that their responsibility to keep apprised of "settled" law is an inconsequential one. For instance, in Schiff the court felt that the university president should have sought legal advice and been aware of an appellate decision involving similar issues handed down scarcely two months earlier [261].

Some Policy Implications and Suggestions

Perhaps because of the lack of consensus as to how "settled" law is discerned or "good faith" determined, Wood promises to have substantial implications for educators. For the first time there is a consciousness that self-interest demands familiarity with and conformity to constitutional principles. This obligation is not one that may be easily satisfied. New strategies and mechanisms must be devised to aid the educator. Districts may be well advised to:

1. Immediately, and on a periodic basis thereafter, review existing policies and procedures to ensure that they are consistent with constitutional principles.

2. Establish a mechanism and assign responsibility for identifying, acquiring the details of and translating new legal developments into explicit local policy and operating procedures.

3. Reexamine how legal counsel is currently utilized, and where appropriate, develop policies and procedures which encourage a preventive, educational role.

4. Provide informational meetings for all staff on a continuing basis to familarize them with new policies and procedures and the legal developments which spawned them.

5. Acquaint students at all grade levels with their rights and responsibilities to facilitate staff compliance with local policy and federal law.

6. Develop an independant appeals procedure using specially trained hearing officers who are empowered to reverse legally erroneous or defective decisions before they become final.

7. Incorporate one or more criteria pertaining to knowledge and observance of student rights into administrative and staff evaluations.

8. Exert influence on institutions of higher education to establish comprehensive programs to develop in all educators an understanding of legal processes and student rights.

9. Determine and advise personnel of the extent to which and conditions under which they may be protected by insurance or indemnification for violation of student rights.

Districts which respond to the admonition of Wood are unlikely to experience any substantial groundswell of student rights actions and may actually decrease their entanglements with the courts. For those districts that fail to respond to the teachings of Wood, an even more insecure future may be ahead.

III. RACE AND STUDENT SUSPENSIONS

RACE AND SUSPENSION:
A SECOND GENERATION DESEGREGATION PROBLEM

Leon Hall*

Alexander Pope said, "Tis education forms the common mind: just as the twig is bent, the tree's inclined." In America today, the classroom is at the top of the list in public institutions which set social, ethical and intellectual standards by which human twigs are bent. It is also the field in which the seeds of social, ethical and racial ferment are most brutally sown. What happens to a young life in the classroom often foretells what will happen to it in the streets.

With the advent of serious attempts to dismantle dual school systems in the United States, drastic repercussions have effected a new brand of student: the pushout--the student who leaves school because of discriminatory treatment or arbitrary actions of school authorities, or as a result of general alienation and hostility.

In an effort to curtail desegregation efforts on the part of the federal government and indigent community groups, and with tragic insensitivity, many public school administrators, counselors, teachers and coaches have dealt with complex changes and problems--real and imaginary--by invoking absolute standards of law and order. These are arbitrary and severe rules and regulations by which they cut off young people from completing elementary and secondary education--often permanently. These young people are different from the dropouts who for many reasons leave school--often because they just don't want to be in school. A vast majority of the pushouts I have encountered genuinely want to be in school. But the emotional pressures, racial hostilities shown by other students, educators, coaches, counselors, and alienation--overt and subtle--drive them away.

One may ask how these students are pressured out into the streets and away from the learning tree. The answers are not so obvious, but the most vicious weapons being used to bar these students from enjoying

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equal access to education are not their poverty or their intellectual capacities. Rather, suspensions and expulsions are the tools most often wielded by sometimes racist and certainly insensitive school personnel. In many states these suspensions can be indefinite, vocally invoked--"Go home until we send for you"--and often never entered into a school's official records.

Consider the following statement from a young lady in high school:

> I think it's unfair for a student to be expelled from school for being tardy, because a lot is going on in school these days, and, when you're absent, you miss a lot. I think you should be given something to write or maybe stay after school. A certain incident occurred this year between a black and a white student. They were fighting. The black student was expelled, but not the white. The black had to appear in court. This is unfair. In class, the white comes first. It's hard to get along sometimes.

These are not isolated incidents; hundreds of similar incidents have been documented and detailed by such diverse groups as the students themselves, the National Education Association, Louisiana Legislative Task Force on Suspensions and Expulsions, Legal Defense Fund, the Children's Defense Fund and HEW's Office of Civil Rights.

Interestingly, a small percentage of teachers are responsible for an overwhelming percentage of those out of school. As in Florida, the Governor's Task Force found that four or five teachers accounted for over 80 percent of the referrals for suspensions and expulsions in the average school.

In not so surprising numbers, the majority of these young people are racial minorities, varying in their academic performance and sex, varying in their family backgrounds. But, more times than not, they are male and from low-income families and have rebelled against mistreatments, real or perceived. These young blacks who are cut off from the classroom are most often found in predominantly white schools or classrooms. Pushouts are not so prevalent in majority-black schools or in classrooms where the teacher is black--a fact borne out in testimony by Dr. Scott Kester, [illegible] educational psychologist from the University of Miami at Coral Gables, when he stated that he had found "black students attending predominantly white Dallas, Texas schools had a suspension rate 600 percent higher than black students attending predominantly black Dallas schools." This was due, he said, to probable racial bias in the school

district's disciplinary procedures and to the greater frequency with which black students participated in behavior which was considered disruptive. These conclusions were borne out further with unprecedented candor when Dallas school superintendent Nolan Estes testified that racial prejudice exists in the Dallas schools and that "institutional racism" contributed to a larger number of blacks than whites being suspended from classes.

Over the past four school years, throughout America, black and minority students have been evicted from public schools at a national rate of two times that of white students through suspensions and expulsions: 6 percent of blacks, 3 percent of whites

In the school year 1972-73, in 2,908 school districts, representing about half of the 50 million elementary and secondary students nationwide including 90 percent of all minority students, 42 percent of those suspended and 37 percent of those expelled were black, when the total black student population was 27 percent. Also, black students are banned from school longer; nationally the figures are four-and-a-half days for blacks and three-and-a-half days for whites.

Pushouts, in a number of those cases which are actually reported, have violated relatively minor school codes, including speaking out of turn, talking smart, laughing in class and wearing clothes not suitable to the codes of the school-styes most often introduced by blacks, like Afro-hair, bell-bottomed pants and platform shoes.

One of the tragic effects of these procedures and policies is that those who could benefit most from the certification and vocational mobility that education engenders--the black and the poor--are quite literally pushed out of educational systems before finishing high school. At the very least, they are discouraged from pursuing formal education in any form because of the hostility and stifling atmosphere they associate with it.

While this kind of treatment falls with a heavier hand on black students, the arbitrariness and severity of disciplinary procedures affects white students, too. A white student in Florida recounted this tale:

> I have been suspended on t[illegible]siona for reasons that were not true (a dr[illegible] code violation, a demonstration and forging a hall pass). I feel that if a student gets in trouble once, he better look out, because administrators hold grudges. They suspended me on a description given by the teacher to the dean. But they would not let the teacher come to the hearing to identify me by face. I also knew who the teacher was. When I requested that he be there,

the dean told me to shut up.

There are, of course, in any group those students who cannot conform to the mores of that group, whether racially different or the same. These are not what I call pushouts. The pressures to which they yield are not particularly racial.

Additionally, intelligence tests, often racially or socio-economically biased, tend to push minority students into classroom situations where they feel they don't belong. Without careful research, students are placed in remedial courses, classes which are more often than not predominantly black and minority.

Without federal sanction to openly discriminate in setting up classroom situations, these covert rites are carried out like some fiendish and diabolical ceremony on unsuspecting victims. The resulting number of black students sacrificed has increased disproportionately to the rate of white students in the few years since desegregation efforts have been stepped up.

Hostilities by school administrators are carried beyond the classroom itself. Black students are excluded from extracurricular activities. They are condescended to or ignored in street situations. Counselors are not racially balanced, and therefore black students are forced to internalize problems concerning the school. With increased displacement of black educators, these students are left without a significant number and variety of positive black models outside the home.

To complicate things, the pushout phenomenon places countless thousands of young people in immediate danger of being labeled "delinquent" simply because their primary institutional affiliation is disrupted and no other is provided in its place. Interestingly, there is a significant drop in the number of young people who actually engage in delinquent behaviors subsequent to their expulsion from school, even though the black pushout often becomes the very thing with which society has branded his ethnic group: criminal, unwed mother, junkie, welfare case or just "another somebody we have to waste our tax dollars on."

In the transition between high school and adulthood, there is a bottleneck through which black students must travel. In the United States more than half of the black students enrolled in predominantly white high schools are diverted by means of pushout into vocational institutions or premature adulthood.

Whenever a minority student is pushed out of school, the quality of our national life drops accordingly. And, while a direct correlation between lack of educational attainment and incidence of juvenile delinquency has never been fully documented, it is

reasonable to assume that pushouts and dropouts will likely turn to a more practical school--the street--if they are discouraged from pursuing conventional educational goals. Two high priests of progressive education, Neil Postman and Charles Weingartner, advanced this theory in their book Teaching as a Subversive Activity, in which they state:

> These "failures" do not disappear. They remain in the community, and they comprise an endless and growing population dedicated to "getting even" with the society which has reviled and rejected them in the school. The cost--just in dollars--we pay for dealing with these drop- or pushouts far exceeds virtually whatever cost would be entailed in modifying the school environment so as to produce attitudes and skills in these young people that would help them to become participating and contributing members of the community rather than its enemies.

What is most ironic--a bitter fact--is that the very educators who produce or force pushouts are blind to the vicious cycle which they in fact will eventually fall victim to in the end. These educators who feel the need to arbitrarily purge the school systems of racial differences will also be purging the school systems of their own jobs and positions. For with the devastating decrease in the number of students, there will be a decrease in the number of educators needed. The ratio of teachers to students will not be improved, just eliminated in some cases. It will indeed be society which suffers at the hand of the pushout in the long run, and educators must realize that with the hurt feelings of pushouts and their families come the vacant positions where there is no need.

In conclusion, when a school system accepts the challenge of desegregation for what it is--the opportunity to provide the best education possible for all of the children of a community with just and equal treatment of each one--that school system has cleared a major obstacle on its way to successful desegregation and the elimination of pushouts. There is no magic formula for bringing this about. There are many variables, capable of as many diverse solutions, as there are communities. But at the center of all this is an attitude, not merely of acceptance, but of commitment on the part of school leadership.

As long as human factors are involved, perfection is surely impossible, but excellence is not. Among those school systems which have met with some measure of success, common denominators are often found which offer a key to assuring equal educational opportunity,

and to assuring such opportunity for all students by keeping them in school. There are alternatives to pushing students out of school:

1. Attempts must be made to substitute corrective discipline for purely punitive discipline. Alternative discipline procedures should be considered as a positive approach to replace or at least greatly lessen the use of suspension and expulsion. Examples of alternative approaches include more and better use of student-oriented counseling, including a student-to-student approach with referral for outside help where appropriate, endorsement of halfway houses and group foster homes for referral, and help with a variety of personal problems.

2. Direct lines of communication must be established among students and between students and the administration. Again and again, members of the school desegregation project's staff heard reports such as this from a white junior high school junior in Florida:

> We have an interracial committee of 60 people. When we formed...we selected first...good advisors whom we could trust, one black and one white. Then we selected all types of people with different ideas who would be very helpful and open about racism, our main problem at school...we get together and discuss problems of students, and then come to a possible conclusion about how to solve the problems. And then we take these to the administration...last year we had riots, this year we have had a few stir-ups and that's about it. I'm not saying we prevented this, but I feel sure we played some part.

No recommendation carries greater importance or urgency than that all school districts engaged in desegregation provide a formal and meaningful role for students in planning and executing desegregation programs. As one young black student from Austin, Texas put it after a biracial skirmish: "I just wish they'd let us help...we have feelings and we have some skills, too...we need responsibility." There are, of course, numerous ways that students can help to ease the tensions which necessarily attend school desegregation, but I will offer only two today.

a. Stimulate broad-scale, student-authored reports to local school boards and administrations which will prove to be a valuable communications

line. The establishment of biracial student advisory committees to produce reports concerning in-school discrimination and the discriminatory administration of discipline offers students the assurance that they have a recourse when they feel they have been treated unfairly.

b. Additionally, students should specifically be involved in writing, revising and administering school rules and disciplinary codes in dealing with problems that lead to disciplinary sanctions such as suspension and expulsion. Simply stated, if we open lines of communication between black and white students and educators, they actually do communicate with and learn to understand each other; give students responsibility, and they, like most people in the world, will act responsibly.

Parents, as well as students, are a vitally important resource group for the resolution of problems related to the process of school desegregation. All desegregating school districts should seek the involvement of parents in determining and implementing school disciplinary codes and sanctions.

As Felix Frankfurter has stated, "The history of liberty has largely been the history of observance of procedural due process." One white student in Mississippi observed, "Teachers make up their own rules. Some are fair; some are unfair." This is not always true, of course, but even the best of teachers cannot always be right, and school administrators must recognize the right of students to a fair hearing. In addition, all care must be taken that school codes and regulations be uniform, reasonable and sensitive to the contemporary cultural life of our pluralistic society. In particular, archaic and restrictive codes for dress and grooming should be eliminated.

The road to equal and excellent educational opportunity is proving to be a rough one. But no one has ever said that those things which are valuable are easy to come by. The roughness of the desegregation road should not be surprising to anyone who realizes that, for large numbers of our young citizens, particularly those from racial minority groups, no road to equal opportunity has ever before existed. To open that road to all young Americans demands a belief in the rule of law, a willingness to cooperate in new approaches to education and a residue of good will and common sense on the part of teachers, administrators, parents and students.

THE GOVERNOR'S TASK FORCE ON DISRUPTIVE YOUTH: PHASE I

Stephen A. Rollin*

Introduction

The issue of school disruption is certainly not a new one. Most certainly, the history of schools in the United States would have to have a significant chapter or two devoted to the issue of disruptive students for that history to be truly representative. Although disruption by students is not a new occurrence in American schools, it has become a more frequent occurrence as well as involving greater numbers of students. In Florida, the issue of disruptive students has affected every school system to some extent and has resulted in losses of both future manpower available to the state and fiscal resources in terms of specialized programs, repairs, security, etc. It is with these aforementioned problems in mind that the Governor's Task Force on Disruptive Youth was established and commissioned to conduct a survey of ten selected counties throughout the state of Florida.

In June of 1973, the Governor's Task Force received funding from the Governor's Council on Criminal Justice to carry out a study of disruptive youth in Florida schools. The time frame for the study was from 1 July 1973 to 14 September 1973, at which time the data would be presented to the superintendents of schools from whose counties the data was collected.

Statement of the Problem

There were five major questions to be answered by the study. These questions were: 1) Could a demographic description of those students who had been characterized as disruptive be developed? 2) Could variables be isolated that would be predictive of disruptive youth? 3) Could the frequency and type of disruption be identified? 4) Could the frequency and type of suspension or expulsion be identified? 5) What types of research and programs are being developed, utilized and evaluated across the country? The body of this report will be directed toward the answers

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to the aforementioned questions.

Procedures

The first issue that had to be resolved in relation to the procedures issue was to come up with an operational definition of disruptive youth. It was decided that those students who had been suspended or expelled would constitute our disruptive population.

The next procedural question was to determine which counties and how many counties would be selected to be surveyed. Three criteria were chosen for use in the selection of counties from among Florida's sixty-seven counties. These criteria were: 1) Geographic. We were interested in having counties from the south, central and northern sections of the state. 2) Urban-Rural. We wanted to have a good mix of those counties within the state that had large urban centers as well as those counties that were largely rural. 3) Accessibility. We were concerned about the logistics of getting our research staff in and out of counties in a limited period of time and, therefore, decided to choose counties that were geographically contiguous. Ten counties were decided upon as the target for our survey, and those counties were: 1)Leon, 2) Gadsden, 3) Marion, 4) Duval, 5) Lake, 6) Orange, 7) Hillsborough, 8) Polk, 9) Manatee and 10) the Northwest district of Dade County. The next step was to develop the survey instrument and validate the instrument.

The model for the instrument came from a survey instrument developed by the South Carolina Department of Education. Some modifications were made in the instrument so that it would be better suited to provide the kinds of information called for in the questions raised by the Governor's Task Force. These questions are listed in the section of this report entitled "Statement of the Problem." Upon completion of the construction of the instrument, a validation study was conducted using Leon county schools. As a result of this preliminary survey, the instrument was changed. The changes centered on the deletion of redundant items. One of the issues that came to the fore as a result of the validity check of the instrument was the source of student data. It was decided that the pupils' cumulative folders would be used as the source of data. After all this was completed, there were only two more preliminary steps to be made before the full-blown survey could begin. The first of these last two steps was to procure letters of support and introduction from the Governor, the Commissioner of Education and from the Florida Committee of the Southern Association of Schools and Colleges. These letters were sent out to all the involved counties, announcing the survey and requesting the support

and cooperation of the county superintendent. We might add at this point that the officials in the counties were most helpful and cooperative. This left but one more step before the survey could begin.

This step included the selection and training of field researchers to carry out the survey. Twelve graduate students from Florida State University and Florida Agricultural and Mechanical University were selected. They were combined into three teams of four students each. Each team had a team leader who had the responsibility of making sure all went smoothly. The team leaders were initially trained when they collected the data for the validation study that was conducted in Leon county, and they, in turn, were charged with the responsibility of training their team members. The teams, after training, were each given three counties, with Leon being completed by the team leaders. Team I had Gadsden, Marion and Duval; Team II had Lake, Orange and Polk; and Team III had Manatee, Hillsborough and Dade.

Research Design

The research design utilized called for an examination of data from two high schools per county. Of the two schools per county, one was from the urban center of the county and the other from the rural area of that same county. The design further called for the examination of the folders for all the disruptive pupils in the selected schools. The folders of an approximately equal number of non-disruptive pupils were also surveyed. The folders for the non-disruptive students were randomly selected to assure an unbiased sample. With information on both disruptive and non-disruptive students available, appropriate statistical procedures could be executed.

Results

The data analysis procedure employed in this study consisted of two basic strategies: descriptive statistics in the form of means and standard deviations describing the relative location for each county and the full state sample on all parameters in the model, followed by a series of multiple regression analyses. Our purpose in employing a multiple regression strategy was to employ a procedure which would allow the construction of a series of prediction models. Each prediction model would be specific to a particular sample, i.e., a county or the entire state sample. Generally, approaching the prediction of disruptive behavior is facilitated by a statistical model which allows for the inclusion of multiple predictors. The multiple regression model employed here allows this.

Eighty-seven variables were collected for analysis. Although all eight-seven variables are not employed in the regression analyses because of the high intercorrelation among predictor variables and their descriptive nature, all variables were subjected to description. Means, standard deviations and sample size for the full state sample can be found in Table 1 at the end of this article. The reader will note that many of the variables are purely descriptive of the nature of the particular sample under discussion.

The basic task in the data analysis stage was to address the question: Can a series of socioeconomic and academic background factors be used to significantly predict the tendency toward disruption as defined in this study? After trial analyses, fifteen predictor variables were selected for a final regression model. Many of the original eighty-seven variables were excluded because they either did not lend themselves to regression analysis or they were already highly intercorrelated with one of the fifteen predictor variables, hence their influence is indirectly included in the final model. For example, scores on the statewide ninth grade achievement test include several subscales in addition to the verbal and quantitative aptitude scales employed here. However, the interrelationships among the scales is so high as to render more than one or two of the scales virtually useless in the context of prediction.

The fifteen predictor variables used in the final regression analyses included two basic categories: first, socioeconomic variables, including sex, race, age, father's occupation, number of siblings in the family and whether or not the subject lived with both parents. A second class of variables included primarily academic achievement and background variables for the subjects. These included grades received in the sixth grade in reading, writing and arithmetic, the most recent year's grade point average, and the verbal and quantitative scales of the statewide ninth grade achievement test. In addition, three school-related variables were included which were: participation in sports, extracurricular activities and tendency for the referral to psychological services within the school context.

The basic strategy, then, was to regress the tendency to disruptive behavior on a linear combination of the fifteen predictor variables. Multiple regression analyses were completed for the entire state sample, and for each county, as well. For each sample, several regressions were computed. First, the full model correlating the fifteen predictors to the disruptive criterion was computed. Output for this model includes the multiple R.R. (the percentage of

variance in the criterion accounted for by the linear combination of the predictors), the F-test of significance of the model from chance and the statistical level of probability. Two additional regression models were constructed and tested for each sample. First, the regression on only the socioeconomic variables and the criterion was computed. The socioeconomic was then tested for significance from the full model to assess if the socioeconomic variables were contributing anything of value to the prediction of the criterion of disruptive behavior. A third regressions model was then constructed, employing only the academic variables in the equation. Likewise, this new model was tested against the full model to assess its utility in the overall prediction scheme. Finally, partial correlations between each set of predictors (socioeconomic and academic) were computed. The object of the partial correlation analysis was to provide an estimate of the predictive power of each of the predictor sets when the influence of the remaining set has been completely removed or eliminated.

The results of the regression analyses performed on the full state sample are presented in Table 2 at the end of the article.

On inspection, several features of the regression analyses stand out. First, the average level of the multiple R's across the counties is .56 with an average R of .31. The correlation coefficients range from a low of .44 to a high of .67 across the ten counties included in this survey. On the average, approximately 31 percent of the variability between disruptive and non-disruptive youth is accounted for by the linear combination of predictor variables included in this study. In one county the figure goes as high as 45 percent. All the multiple correlations are statistically significant, indicating that the results are very unlikely to be random or chance phenomena. The importance of each of the individual predictors in any given model is assessed by examining the partial regression coefficients associated with each of the prediction equations. This is most efficaciously done on a county-by-county basis, and this can be done by examining Table 2.

A review of Table 2 will indicate to the [illegible] the relative Beta weights for each county plus those Beta weights for all ten counties. Of the fifteen variables identified as the best predictors (Table 2), six appear to account for the greatest percent of the variance. Those six are: 1) Sex, 2) Race, 3) Sixth grade test score, 4) Most recent grade point average, 5) Verbal Aptitude (ninth grade test) and 6) Psychological referral. In relation to these six variables, if a pupil were male, black, had a low sixth grade

test score, a low grade point average, a low verbal aptitude score and had not been referred for psychological services, he was more likely to become a disruptive student and be either expelled or suspended from school. This profile reflected a pattern across all ten counties surveyed. The importance of these variables as predictors varied some across counties in terms of which variable accounted for the greatest percentage of the variance in the regression equation.

Table 3 at the end of this article provides an overview of the single most important variable per county. In some counties, the Beta weights were so close that two variables were reported as being most significant. It is important to point out here that even though we have isolated a set of variables that appear to predict who will be disruptive, it is not just one variable or two variables, but the interplay between those variables that provides the greatest predictive validity. An example would be academic achievement as opposed to just the sixth grade test. Obviously, within the academic achievement cluster, there are prediction variables that are more powerful than others, like most recent grade point average. The point of all this is just to caution the overzealous reader from jumping to conclusions based on the use of just one predictive variable. At this point, we would like to turn to the report of our field researchers in relation to their observations and the problem they encountered.

Field Research Report

The primary observation and problem encountered by our field researchers was the lack of organization of records and cumulative folders. Every county, and sometimes individual schools within a county, had its own way of filing. For example, some counties would file by student, some by grade level, some alphabetically, and some according to schools. The latter was done in counties where records of suspended students were kept in the county office. We also ran into a number of lost files, misplaced folders and incomplete folders.

In relation to the suspension forms in some counties, there was no provision to tell which teacher had recommended the suspension. On the other hand, where records were kept of which teachers did refer students for suspension, we found that often it was four or five teachers who made approximately eighty percent of the referrals. We also discovered in relation to information within the folder that it was often incomplete or obsolete. That is, in two of our three folders, the current grade level of the student was missing. In some folders, most of the information

was taken in the elementary school, and there was little updating of the data relating to the students.

In terms of locating information, in some counties this was a problem because information might be kept in two or three different locations, and there was no cross reference to indicate where things might be found. It is important to note that the problems we encountered were mechanical, not personal. The county superintendents and their staffs were most cooperative, courteous and helpful. They truly facilitated our research. We believe it is now appropriate to move to conclusions and recommendations.

Conclusions and Recommendations

We have found as a result of our research that the percentage of blacks to whites who have been suspended or expelled is 44 percent black to 52 percent white, while the percentage of blacks to whites in the schools across the state, according to the "State Accreditation Quantitative Report of 1972," reported only 23 percent blacks to 77 percent whites. It would appear that a disproportionate number of black students have been expelled or suspended.

We have further determined that the average suspension for the sample was 7.3 days or a total for the entire sample of 2,420 disruptive students, of 17,666.3 days over a two-year period. If the number of in-school suspensions is added to the above total (17,666.3 + 317.5), a grand total of 17,983.8 school days were lost due to suspensions.

We further determined that the major reasons a student was suspended were the following (listed in descending order of frequency): 1) Truancy or skipping, 2) Violation of school rules, 3) Physical violence against a person, 4) Disobedience, 5) Verbal abuse to staff member and 6) Smoking. It seemed an interesting irony that a truant would be suspended. Table 1 was the source for the above conclusions.

In terms of the predictability of potential dropouts, we determined that the academic achievement variables seemed to be the most powerful predictors of potentially disruptive youth and were more useful than socioeconomic criteria. The criterion that seemed most useful, as pointed out earlier, was last year's grade point average, followed by the reading part of the sixth grade test and the verbal aptitude of the ninth grade test. If these data are sound, and we believe they are, they would suggest the academic tracking of students fairly early in their educational career and attempting to provide specialized instruction, especially in verbal and reading skills areas.

Our research further suggests that the issue of disruption is not just a student problem but a teacher and administrator problem and, therefore, we recommend in-service training programs that would center on problem identification, conflict resolution, human relations and reading.

We further recommend that a policy be adopted on a statewide basis that would provide for students' rights and responsibilities. A possible model might be a program developed by the New Mexico Department of Education.

Our recommendations also include a plea for standardizing student record-keeping and filing across the state. This would include provision for yearly entries of data about students and inclusion of the teachers' names who recommended suspension. We also believe that a student's history of suspension or expulsion should not be kept in his permanent file, but this provision could be included in the document on student rights and responsibilities.

We further feel, based on our data, that the availability and utilization of psychological services is a possible deterrent to disruption. We include both in-school (the counselor, school psychologist) and out-of-school (psychiatrist, mental health clinics) personnel and agencies as possible sources of referral.

In conclusion, we are optimistic that the problem of disruption is a soluble one. As is true in most contemporary problems facing American education, they require ideas, funding, and commitment to be solved. We believe that Florida has an abundance of all three of these necessary ingredients listed above--so let's get moving!

TABLE 1

Means, Standard Deviations, and Number of Subjects for Eighty-Seven Variables for Total Sample

*Best Predictors of Disruptive Youth

Variable	Mean	Standard Deviation	Number of Subjects
*1 Sex (Male=1, Female=0)	.5658	.5109	4952
*2 Race, Black (1=yes, 0=no)	.3511	.4774	4925
*3 Race, White (1=yes, 0=no)	.6112	.4875	4925
*4 Race, Spanish (1=yes, 0=no)	.0382	.1916	4927
5 Age (4 digits/no decimal)	17.0398	1.3847	4949
6 Grade Level	10.6056	1.4495	4932
7 Years in District (3 digits/no decimal)	9.0645	3.7267	4760
*8 Father's Occupation (Hollingshead)	4.6877	1.7279	3974
9 Mother's Occuption (Hollingshead)	5.0668	1.7843	2170
10 Parents Own Home (1=yes, 0=no)	.6666	.5330	3725
11 Parents Living Together	.7544	.4339	4764
12 Father Living (1=yes, 0=no)	.9565	.2103	4554
13 Mother Living (1=yes, 0=no)	.9851	.1263	4761
*14 Subject Lives with Both Parents (1=yes, 0=no)	.7539	.4322	4827
15 Economic Status of Family (Good=3, Mod=2, Low=1)	1.9385	.7169	3254
*16 Number of Siblings	3.0437	2.2832	4640
17 Number of Brothers	1.5457	1.4185	4638

TABLE 1 (cont'd.)

Variable	Mean	Standard Deviation	Number of Subjects
18 Number of Older Brothers	.8874	1.1283	4626
19 Number of Sisters	1.4906	1.4190	4635
20 Number of Older Sisters	.8362	1.1392	4634
21 Citizenship	3.3768	.8640	2773
*22 Reading	3.3752	.8817	4227
23 English	3.3116	.9224	4207
24 Spelling	3.5800	1.0466	4190
*25 Writing	3.3700	.8314	3987
26 Social Studies	3.1799	.9301	4246
*27 Arithmetic	3.1754	.9664	4276
28 Most Recent Year's Grade Average	2.8705	1.0036	4587
29 English (Past Year)	2.8361	1.1956	4241
30 Math	2.7438	1.1851	3474
31 Social Studies	2.8101	1.2120	2991
32 Science	2.9104	1.1744	2891
33 Vocational	3.1304	1.1748	2469
34 Other	3.2473	1.1782	3991
*35 Verbal Aptitude	44.3902	28.2316	3270
*36 Quantitative Aptitude	45.1972	28.7407	3261
37 Total Aptitude	44.5503	28.5838	3260
38 Social Studies	44.9056	28.2823	3274
39 English	44.5374	28.2324	3266
40 Math Computation	45.4362	28.3312	3267
41 Math Problem-Solving	44.7585	28.4950	3263
42 Math Total	45.0104	28.4644	3262
43 Science	44.5277	28.7232	3252
44 Total Reading	26.1402	25.6436	542

TABLE 1 (cont'd.)

Variable	Mean	Standard Deviation	Number of Subjects
45 Total Language	25.5940	23.5854	532
46 Total Arithmetic	24.4023	23.1126	512
*47 Participation in Sports (1=yes, 0=no)	.1781	.3827	2414
*48 Participation in Extracurricular (1=yes, 0=no)	.3355	.4732	2411
49 Participation in Student Office (1=yes, 0=no)	.0870	.2833	2414
50 Vocational (1=yes, 0=no)	.1453	.3531	3986
51 Business (1=yes, 0=no)	.0813	.2842	3973
52 General (1=yes, 0=no)	.4979	.5103	4049
53 Academic (1=yes, 0=no)	.3237	.4795	4034
54 Special Ed (1=yes, 0=no)	.0224	.1974	3981
55 Comments Recent Year (Positive=3, Neutral=2, Negative=1)	1.8925	.9225	3153
*56 Has Subject Been Referred for Psych. Services (1=yes, 0=no)	.1187	.3610	4905
57 Institutionalized (1=yes, 0=no)	.0071	.1075	4914
58 Psychiatric Institutionalization (1=yes, 0=no)	.0020	.0781	4911
59 Criminal Institutionalization (1=yes, 0=no)	.0059	.1037	4910
60 Other Institutionalization (1=yes, 0=no)	.0026	.0891	4910
61 Health Problems (1=yes, 0=no)	.0587	.2903	4903
62 Academic Progress (1-5)	3.5248	1.1234	4457
63 Expulsion (1=yes, 0=no)	.0174	.1561	2474

TABLE 1 (cont'd.)

Variable	Mean	Standard Deviation	Number of Subjects
64 Suspension (1=yes, 0=no)	.9460	.2608	2483
65 Number of Suspensions over Past Two Years	1.7256	2.4046	2442
66 Total Number of Days Suspended	7.3679	7.8462	2427
67 Physical Violence against Person	.9587	5.5117	1161
68 Physical Violence toward Object	.2906	2.7270	874
69 Verbal Abuse to Student	.1971	1.9579	893
70 Verbal Abuse to Staff Member	.7849	4.7600	1139
71 Violation of School Rules	.7955	1.9350	1320
72 Possession of Weapons	.2856	3.0908	879
73 Truancy	1.0072	1.8726	1523
74 Smoking	.4995	2.4806	1035
75 Drugs, Alcohol	.1876	2.0050	922
76 Clothing	.0936	1.6782	865
77 Health	.0153	.1639	850
78 Academic Problems	.0198	.1627	857
79 Disobedience	.7048	2.0970	1216
80 Tardiness	.5206	2.5562	972
81 After-hour Detention	.3287	2.9288	864
82 Work Task	.3597	2.3594	923
83 Loss of Privileges	.3902	3.2042	915
84 Parent Conferences	.7209	2.9305	1222
85 Probationary Suspension	.2298	2.7354	853
86 In-School Suspension	.6025	4.3249	1024
87 Disruptive Student (1=yes, 0=no)	.5067	.5000	4967

TABLE 2

Beta Weights in Fifteen Selected Variables by County

County	x_1	x_2	x_3	x_4	x_5	x_6	x_7	x_8	x_9	x_{10}	x_{11}	x_{12}	x_{13}	x_{14}	x_{15}
Leon	-.01	.02	.05	.08	-.08	.02	.05	-.10	.04	-.41	-.12	.02	.04	-.05	.11
Gadsden	.32	-.06	-.06	.15	-.07	-.03	-.02	.12	.04	-.25	.01	.02	-.02	.01	.05
Marion	.03	-.18	.06	-.09	-.04	.07	-.20	-.04	.09	-.34	-.05	.09	-.13	-.05	.02
Duval	.00	-.05	.12	-.02	-.02	.05	.11	-.02	-.01	-.42	.05	-.01	-.02	-.04	.10
Lake	.14	-.01	-.22	.07	-.05	.02	-.04	-.06	-.11	-.20	.06	-.02	x	x	.24
Orange	-.03	-.04	-.04	.04	-.01	.06	.00	-.07	.08	-.29	-.62	-.12	x	x	.37
Hillsborough	.49	-.70	.25	.43	.31	.16	.45	-.43	-.32	-.64	.69	.97	-1.14	.61	.33
Polk	.00	-.13	-.01	.04	-.05	.06	-.03	-.01	-.01	-.29	-.02	.00	x	x	.26
Manatee	.24	-.02	.04	.13	.14	-.11	.23	-.08	.09	-.29	-.64	-.11	-.07	.00	.04
Dade	.07	-.02	.10	-.03	-.06	-.08	-.01	-.01	.07	-.39	.04	.02	.10	-.11	.10
Ten counties	.05	-.08	.01	.01	-.04	.03	.01	-.01	.00	-.32	-.02	-.01	-.03	-.08	.15

Key

x - Beta Weights

1. Sex
2. Race (white/non-white)
3. Age
4. Father's Occupation
5. Subject Lives with Both Parents
6. Number of Siblings
7. 6th Grade Reading
8. 6th Grade Writing
9. 6th Grade Arithmetic
10. Last Year's GPA
11. Verbal Aptitude (9th Grade)
12. Quantitative Aptitude (9th Grade)
13. Sports
14. Extracurricular
15. Referral to Psychological Services

TABLE 3

Single Most Important Prediction Variables by Counties

Sex	Race	6th Grade Test	Recent GPA	Verbal Aptitude	Referral
Gadsden	Marion	Marion	all	Manatee	Leon
Lake	Hillsborough	Duval		Leon	Lake
Manatee	Polk			Hillsborough	Polk
					Dade
					Orange
					Duval

SCHOOL SUSPENSION PRACTICES IN MICHIGAN: A PRELIMINARY ACCOUNTING

Charles Vergon and Junious Williams*

Until recently, little has been known about the suspension policies and practices of public, elementary and secondary school districts.[1] This article summarizes some preliminary findings regarding disciplinary suspensions meted out in a sample of Michigan School Districts. Included are findings concerning the extent to which districts rely on suspension, the disproportionate impact of suspensions on minority students and the number of school days lost by virtue of suspension.

The findings are based on data collected by the Office for Civil Rights (OCR) of the Department of Health, Education and Welfare, from fifty-two Michigan districts for the 1972-73 school year.[2] The accuracy of the data presented, and findings drawn from them, is therefore dependent upon the quality of the report that is filed by the local school districts and aggregated by OCR. There is some evidence of reporting inconsistencies and failures by districts, though with one exception no attempt has been made to edit the data (as reported by OCR).[3] A more comprehensive study is currently being conducted by PEO, one facet of which will address the accuracy of reported suspension. The study should provide a more detailed analysis of suspension practices and their implications, so findings reported in this article are preliminary.

The reader should recognize that these findings are based solely on data from the OCR sample of Michigan districts, and no generalizations or extrapolation for the state as a whole can be made without further analyses. Similarly, the regional and national figures are for those districts surveyed by OCR of which there were 2,862 nationally.

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*Mr. Vergon and Mr. Williams are Associate Directors of The Program for Educational Opportunity and the Project for Fair Administration of Student Discipline respectively. They gratefully acknowledge the programing and statistical services of Joseph Teresa and Walter Burt. Naturally, full responsibility for the content and accuracy of the study rests with the authors alone.

All findings are for the 1972-73 school year.

Findings

A significant proportion of students enrolled in the Michigan districts experienced suspension at least once during the course of the school year.

Six percent, or one of every sixteen Michigan students, was suspended from the fifty-one districts during the 1972-73 school year. Students attending junior, middle and high schools incurred the majority of all suspensions,[4] the proportion of students in those grades experiencing suspension probably exceeds 11 percent.

One of every sixteen pupils in absolute numbers is over 23,000 of 385,000 students suspended from these districts. Clearly then, the use of suspension as a disciplinary technique cannot be dismissed as so infrequent or occasional as not to merit the scrutiny of local and state educational officials.

TABLE 1

Number and Percent Students Suspended
Michigan Districts
1973 - 1973

Number of Districts	Enrollment	Number of Students Suspended Once of More	Percent Experiencing Suspension
51	385,251	23,457	6.1

The Michigan districts as a group, suspended a greater proportion of their enrolled student population than did their Midwestern counterparts or districts across the nation as a whole.

While the Michigan districts were suspending 6 percent of their school population, the districts surveyed in the Midwest[5] and nation were suspending only slightly over 4 percent of their students. One in every twenty-four pupils was suspended nationally;[6] one in every sixteen was suspended in the Michigan districts.

TABLE 2

Number and Percent Students Suspended
Michigan, Midwest and Nation
1972 - 1973

	Enrollment	Number of Students Suspended	Percent Suspended
Nation[a]	24,188,681	1,012,347	4.2
Midwest	3,086,036	127,582	4.1
Michigan	385,251	23,457	6.1
(unedited)	(649,029)	(29,853)	(4.6)

[a] School Suspensions, Table 1, p. 56.

A 45 percent greater proportion of the students enrolled in the Michigan districts experienced suspension than did students in the Midwest or nation (6.1 percent as contrasted to 4.2 percent).[7]

> A substantial variation existed among Michigan districts, and from building to building within districts, as to the proportion of their respective enrollments experiencing suspensions.

The proportion of the student population suspended at least once during the year ranged from a high in one district of nearly 13 percent to a low in another of less than 1 percent. The mean for the fifty-one districts approximated 3.5 percent.

TABLE 3

Distribution of the Michigan Districts By
Percent Enrollment Suspended Once or More

Percent Suspended	Number of Districts	Percent of Districts
Over 9	8	15.7
7.5 - 9.0	5	9.8
5.0 - 7.4	7	13.7
3.5 - 4.9	7	13.7
2.0 - 3.4	12	23.5
Less than 2.0	12	23.5

While part of the variation among districts may be attributable to underreporting suspensions by some districts, it is apparent that some districts rely to a much greater extent on suspensions as a disciplinary tool than do others.

Similarly, some schools within a district may report suspending a greater proportion of their population than other schools in the same district. Though this study was concerned with the district as the unit of analysis rather than with the building, it was apparent from even a cursory view of the data that substantial differences in suspension practices existed between buildings. Based on these sources, one secondary building in a district may suspend three times as many pupils per hundred enrolled students as another secondary school in the same district.

> As in the nation and Midwest, minority students in Michigan tend to be disproportionately suspended.

There are a number of different means for assessing and describing disproportionality of suspensions. In this study they focus on the percentage of minority students experiencing suspension in relationship to their presence in the school population: the disparity between minority enrollment and the proportion of all suspensions incurred by minorities; and the relative likelihood that minority and nonminority students will experience suspension.

Of the 123,734 minority students in the districts studied, 11,968 or 9.5 percent were suspended at least once during the school year 1972-73, in contrast to 4.4 percent or 11,489 of the 259,517 nonminority students. Figures for the nation and Midwest reflect a similar disparity between the percentage of minority as contrasted to nonminority students suspended, though the discrepancy in suspension rates is appreciably greater in Michigan.

TABLE 4

Percent Minority and Nonminority Students Suspended Michigan, Midwest and Nation

	Students Enrolled		Students Suspended		Percent Suspended	
	Minority	Nonminority	Minority	Nonminority	Minority	Nonminority
Nation[a]	9,025,135	15,163,546	540,399	471,948	6.0	3.1
Midwest	1,285,005	1,801,031	64,899	62,683	5.1	3.5
Michigan	125,734	259,517	11,968	11,489	9.5	4.4

[a]National calculations based on data derived from School Suspensions, Appendix B., Table 1, p. 125.

The number and proportion of black students suspended one or more times is the principle source of the minority/nonminority disproportionality in Michigan, as it is in the Midwest and nation.

TABLE 5

Percent Students Suspended Once or More
By Minority Group
Michigan, Midwest, Nation

	Percent Suspended Once or More		
	Michigan	Midwest	Nation[a]
Black	10.3	5.4	6.0
Latino	5.2	2.3	2.7
Indian	2.5	3.9	2.8
Asian	1.6	.9	1.1

[a] School Suspensions, Appendix B, Table 1, p. 125.

Another means of presenting data regarding disproportionality is to compare the percentage of all suspensions involving minority group members against their presence in the enrolled population. For Michigan districts taken as a group, the percentage of suspensions involving minorities exceeded the minority enrollment. Though minorities comprised only 32.6 percent of the students enrolled, they incurred 51 percent of all suspensions. This 18 percent difference between minority enrollment and suspensions represents almost twice the differential found in the Midwest, but is fairly representative of the national disparity.

TABLE 6

Percent Enrollment Compared to Percent Suspensions
For Minority and Nonminority Students
Michigan, Midwest and Nation

	Michigan		Midwest		Nation[a]	
Percent	Minority	Nonminority	Minority	Nonminority	Minority	Nonminority
Enrollment	32.6	67.4	41.6	58.4	37.3	62.7
Percent of All Suspensions	51.0	49.0	50.9	49.1	53.4	46.6
Disparity	+18.4	(18.4)	+ 9.3	(9.3)	+16.1	(16.1)

[a] Calculated from data appearing in School Suspensions, Appendix B, Table 1, p. 125.

Of the four minority groups, only blacks incurred a greater proportion of the suspensions than normal given their enrollment. This proved to be the case for Michigan, the Midwest, and the nation, though not for all districts within these geographical areas.

TABLE 7

Percent Enrollment
Compared To Percent All Suspensions
By Minority Group
Michigan, Midwest and Nation

	Michigan		Midwest		Nation[a]	
	Percent Enrollment	Percent Suspension	Percent Enrollment	Percent Suspension	Percent Enrollment	Percent Suspension
Black	28.3	47.8	36.7	48.1	27.1	38.8
Latino	3.4	2.9	4.1	2.3	8.9	5.7
Indian	.6	.3	.4	.4	.6	.4
Asian	.3	.1	.4	.1	.7	.2
Minority Total	32.6	51.1	41.6	50.9	37.3	45.1

[a]Calculations for the nation based on data from School Suspensions, Appendix B, Table 1, p. 125.

The third means of examing the disproportionate effect of suspensions on minorities is with a suspension likelihood ratio (SLR). This ratio represents the percentage of minority versus nonminority students suspended relative to their presence in the student population.

TABLE 8

Likelihood of Suspension Ratio
Minority to Majority Students
Nation, Midwest and Michigan

	Black	Latino	Indian	Asian	White
Michigan	2.3	1.2	.6	.4	1
Midwest	1.6	.7	1.1	.3	1
Nation[a]	1.9	.9	.9	.4	1

[a]Calculated from data appearing in School Suspensions, Table 1, p. 63.

As with proportion of student population suspended, there is considerable difference among Michigan districts in the degree of disproportionality of minority student suspensions.

Inter-district variance in disproportionality may most meaningfully be assessed by comparing the likelihood of suspension ratio for the respective districts. This provides the most robust measure of disporportionality since in addition to controlling for the racial composition of the district, it also relates the number of minority suspensions to the number incurred by nonminority students.

In 86 percent, or forty-two of the forty-nine districts reporting suspensions, minorities were disproportionately suspended as reflected by a SLR ratio exceeding 1 to 1. In 45 percent of the districts, minorities were suspended at least twice as frequently as their white classmates. In only 14 percent of the districts were minorities suspended less frequently than would normally be expected given their presence in the respective district populations.

Even greater variation existed among districts when comparing the suspension likelihood ratio of black and white students. In 89 percent of the districts enrolling blacks and reporting suspensions, the ratio exceeded 1 to 1. The ratio surpassed 2 to 1 in 52 percent of the districts, 3 to 1 in 26 percent of the districts, and 5 to 1 in 9 percent of the districts. In two districts, the ratio was beyond 10 to 1, though this finding should be treated cautiously, since both districts enroll exceedingly small numbers of black students.

TABLE 9

Distribution of Michigan Districts
By Likelihood of Suspension Ratio
Black to Nonminority Students

SLR Black to Nonminority	Aggregative Number of Districts	Aggregative Percent of Districts
Less than 1 to 1	5	10.9
Over 1 to 1	41	89.1
Over 2 to 1	24	52.2
Over 3 to 1	12	26.1
Over 4 to 1	5	10.9
Over 5 to 1	4	8.7
Over 10 to 1	2	4.3

A substantial number of school days were lost in Michigan because of suspensions; a proportionately greater number than in the Midwest or the nation.

Over 98,000 school days were missed by students under suspension in the fifty-one Michigan districts comprising the study. This represents the equivalent of over 545 student instructional years. When added with suspension days logged in the other five midwestern states, the total number of days lost surpasses 500,000 or nearly 3,000 instructional years. More than four million days, or 22,569 years, were lost by virtue of suspensions in the 2,862 districts surveyed nationally.

A proportionately greater number of days was lost in the Michigan districts than in those surveyed in the Midwest or in the nation. Among Michigan districts included in this study, days missed because of suspension equaled 255 days, or 1.41 years per 1,000 students. This is in contrast to the Midwest average of 174 days, and slightly less than one year per 1,000 pupils. Comparable data for the nation indicates that per 1,000 students, 167 days, or .93 years were lost because of suspensions.

TABLE 10

School Days and Years Lost By Suspension
In Nation, Midwest and Michigan

Survey	Enrollment	Suspension Days	School Years	Time Lost per 1,000 Students Days	Years
Nation[a]	24,188,681	4,062,408	22,569	168	.93
Midwest	63,086,036	537,977	2,989	174	.97
Michigan	385,351	98,179	545	255	1.41
(unedited)	(649,209)	(126,890)	(705)	(195)	(1.09)

[a]Calculations for the nation based on data appearing in School Suspensions, Table 2, p. 56.

The average number of school days lost per year by students suspended one or more times varied considerably from district to district in Michigan, though the average for the state approximated that for the Midwest and the nation.

The average number of days lost per year by students suspended one or more times from the Michigan districts studied ranged from a high near twelve days in one district, to a low of just over one day in another school community.[11] The average exceeded seven days in five districts, (10 percent); five days in eight districts (16 percent); and three days in twenty-one districts (43 percent). The remaining fifteen districts, which represent 31 percent of those studied, reported averages of between one and three days per year. The average for the pupils enrolled in the fifty-one Michigan districts equaled 4.2 days.

This 4.2 day per year average exceeded the figure reported in three Midwestern states, was less than that in two others, and was the same as the Midwest average. It exceeded the national figure of 4.0 days. (See Table 12, on the following page.)

TABLE 11

Distribution of Michigan Districts According to Average Days Missed By Students Suspended Once or More

	Average Number of Days				
	1 - 3	3.1 - 5	5.1 - 7	over 7	Total
Number of Districts	15	21	8	5	49
% of all districts reporting suspensions	30.6	42.9	16.3	10.2	100

Minority students suspended one or more times in Michigan tended to miss more days per year, on the average, than did nonminority students. One minority group experienced a markedly greater number of days missed per pupil.

The average number of days missed per year by minority students suspended one or more times in the fifty-one Michigan districts exceeded the average missed by nonminority students: 4.4 to 4.0 days. The average number of days missed by minorities as contrasted to nonminority students for the Midwest was 4.6 to 3.8 per year. Precisely comparable data was not available for the nation. However, the pattern ascertainable from the available data is similar.[12]

TABLE 12

Average Number of Days Missed
By Minority and Nonminority Students
Suspended Once or More
Nation, Midwest and States Within the Region

	Minority	Nonminority	All Students
Nation[a]		3.6[b]	4.0
Midwest	4.6	5.8	4.2
Michigan	4.2	4.4	4.3
(unedited)	(4.4)	(4.0)	(4.2)
Indiana	3.4	3.0	3.2
Illinois	5.0	3.3	4.3
Ohio	6.0	4.6	5.4
Minnesota	2.7	2.5	2.6
Wisconsin	2.4	2.4	2.4

[a] School Suspensions, Appendix B, Table 1, p. 125

[b] National calculation not fully comparable, see note 12.

Thus, the disparity between the number of suspension days incurred by minorities and nonminorities is less for the Michigan districts than for the Midwest and probably the nation.[13]

Further analyses indicate that Michigan Latinos missed a considerably greater number of days by virtue of suspension than did students belonging to other minority groups or to the nonminority population. Latino students experiencing one or more suspensions missed an average of 5.9 days per year as contrasted to 4.4 days for other minorities, and a nonminority average of 4.0 days. The average number of days missed per year by suspended Latinos in Michigan exceeded by nearly two full days the midwestern and national average.

TABLE 13

Average Number of Days Missed
By Students Suspended Once or More
Michigan, Midwest and Nation

	Average Number of Days Missed Per year			
	Black	Latino	Indian	Asian
Nation[a]	4.5	3.5	3.6	3.1
Midwest	4.6	4.0	3.1	3.0
Michigan	4.1	5.9	3.9	2.0

[a] School Suspensions, Appendix B, Table 1, p. 125.

Given the number of student instructional days missed due to suspension, hundreds of thousands of dollars of educational services did not reach students in the Michigan districts included in this study.

One measure of the cost of using suspensions as a disciplinary technique is the value of educational services withheld from students. This is not to suggest that suspensions may not be an appropriate and necessary response to certain forms of misconduct or habitual misbehavior, but rather to point out the pervasiveness of the practice in terms understandable to legislators, school board members, administrators and the public-at-large.

In the fifty-one districts analyzed, suspensions exceeded 98,000 days or the equivalent of 545 student years. Given an average per pupil operating expenditure of over $950.00 for the state during the 1972-73 school year,[14] the value of the withheld services exceeded a half million dollars in these districts alone.

The dollar amount associated with educational services represents only one element of the cost of suspensions. For instance, a substantial amount of administrative time is consumed in providing disciplinary hearings necessary when suspensions deprive students of constitutionally protected liberty and property interests.[15] The frequency with which suspensions are contested in Federal court also adds to time away from administrative duties and contributes to the expenditure of substantial resources for legal fees. Perhaps this time and money could be better spent in finding more productive and effective means of managing classrooms and buildings.

A number of other societal costs, some economic, others not, arguably result from suspensions and their associated effects. Course failures are one of these. It is reasonable to assume for instance, that students out of school due to suspension will have a greater opportunity to become enmeshed in the juvenile justice process; that they will, if repeatedly suspended, require remedial instruction or job training; and that they may experience greater unemployment as a result of having been identified as a discipline problem. All these factors suggest that the individual may be relying on some form of public assistance or special program with the attendant cost associated with either.

These societal costs are in addition to the personal or individual losses experienced by students. Costs to individuals, such as harm to their future education or employment opportunities, and life-long earnings are obviously considerable.

Practices which result in loss of even a half million dollars of educational services, let alone the far greater, (though difficult to estimate precisely) societal cost, deserves a commitment of fiscal and intellectual resources to find more effective and efficient means of controlling disruptive behavior and protecting the rights of students. The commitment should naturally be demonstrated by local districts, the state and those institutions of higher education preparing individuals to assume positions in educational organizations. Perhaps a provision in state aid acts requiring money for services provided for the suspended child would provide the needed impetus for exploring more effective disciplinary means.

Conclusion

This facet of the ongoing study of Michigan suspensions provides the beginnings of an empirical foundation for discussion and critical evaluation of current suspension policies and practices and the statutory source from which they derive their legitimacy. Given even the preliminary findings reported here, it is apparent that this critical evaluation process is overdue, particularly in the state of Michigan.

An analytic examination of suspension policies and practices, along with recommendations for concerned citizen groups, school districts, and the state department of education will be the focus of the next phase of this study.

Notes

[1]The aura of secrecy surrounding suspension practices has been pierced recently by three works which promise to be instrumental in disciplinary reform. They are a report issued by the Southern Regional Council and the Robert Kennedy Memorial Foundation, The Student Pushout (1973), and two Children's Defense Fund publications, Children Out of School In America (1974) and School Suspensions: Are They Helping Children? (1975). The last of these has been published since the date of the conference, but prior to the completion of this study of Michigan districts. Without School Suspensions, this article would not include national comparisons.

[2]The survey of Michigan districts was part of the Office for Civil Rights' annual survey of enrollment and employment conducted to assess compliance with various civil rights laws. The identity of the fifty-two Michigan districts surveyed appears in the Appendix, as do the pertinent portions of the data collection instruments (OCR Form 101 and 102) they were required to complete. The fifty-one districts in this study enroll about 17.7 percent of the students attending Michigan public schools and 36.2 percent of all minority students.

[3]The exception is the School District of the City of Detroit. It has been deleted from the study reported in this article because of definitional inconsistencies between what the district terms a "suspension," and what OCR means by the same term. The decision to omit Detroit was necessitated by the effect any potentially systematic reporting discrepancy in a district the size of Detroit would have on the findings derived from the other fifty-one districts. Consequently, findings as to Michigan districts are based on fifty-one districts, though calculations inclusive of data reported by Detroit are sometimes parenthetically provided or discussed in notes. Finally, midwestern and national averages used for comparative purposes do include enrollment and suspensions reported for the Detroit Public Schools.

[4]School Suspensions, p. 60.

[5]The Midwest as referred to in this article is comprised of the six states making up Region V of the U.S. Office of Education. The states include Illinois, Indiana, Minnesota, Ohio, and Wisconsin in addition to Michigan. Midwest averages throughout the study include Michigan and Detroit enrollment and reported suspensions.

[6]School Suspensions, p. 10.

[7]Even comparing all fifty-two districts surveyed, the proportion of Michigan students suspended at least once exceeded both the Midwest and national figure by nearly 10 percent (4.6 to 4.2).

[8]State of Alabama v. United States, 304 F. 2d 583 and 586 (5 Cir.), aff'd per curiam, 371 U. S. 37 (1962).

[9]Based on data from Demarest, Sylvia M. and John F. Jordan, "Hawkins v. Coleman: Discriminatory Suspensions and the Effect of Institutional Racism on School Discipline," Inequality in Education, #20, July, 1975, p. 38.

[10]Hawkins v. Coleman, 376 F. Supp. 1330 (N.D. Texas, 1974).

[11]Two cautionary notes are pertinent at this juncture. First, the average number of days missed per year by students suspended once or more reported in this section should not be confused with the average duration of each suspension imposed by districts. The former represents the cumulative number of days missed by students over the course of a year without regard to the number of times students are suspended.

Having established this distinction, the second caveat is that the average number of days missed per year may in actuality more nearly approximate the average duration of each suspension than should be the case. This distortion results from the inadequacies of local discipline record-keeping practices, many of which merely reflect incidents of suspension rather than the number of different students experiencing suspension. See School Suspensions, p. 71 for a discussion of CDF survey findings on the proportion of students suspended more than once.

[12]See e.g., School Suspensions, Table 6, p. 71, and Appendix B, Table 1, p. 125; but compare findings of CDF's own survey discussed on p. 71.

[13]If the fifty-second Michigan district is included in the analysis, the disparity between minority and nonminority pupils would disappear altogether and actually result in nonminorities experiencing the loss of the greater number of days on the average. This is largely attributable to the fact that the average number of days lost by nonminorities in the fifty-second district was 10.4 days, as contrasted to 3.7 days for minorities.

[14]Michigan State Department of Education, Selected Financial Data for Michigan School Districts, Bulletin 1012 (1973).

[15]Goss v. Lopez, 419 U. S. 565 (1975).

APPENDIX A

Michigan Districts Surveyed
By The Office for Civil Rights
1972 - 1973

Adrian
Albion Public Schools
Ann Arbor
Baldwin Community Schools
Bangor Public Schools
Baraga Township
Battle Creek Public Schools
Beecher
Benton Harbor Area Schools
Berrien Springs
Blissfield Community Schools
Brimley Public School
Buena Vista School District
Cassopolic Public Schools
Covert Public Schools
Westwood Community School Dist.
Detroit Public Schools
Dowagiac Union School Dist.
Ecorse Public Schools
Ferndale City
Flint City School Dist.
Grand Rapids
Hamtramck City
Highland Park City
Holland City
Inkster Public Schools
Jackson Public Schools
Kalamazoo City
Kent City Community
Lansing School District
Lincoln Consolidated Schools
Madison
Mason Consolidated
Milan Area
Monroe City
Mt. Clemens Community School
Muskegon City
Muskegon Heights Public School
New Haven Community
Niles Community Schools
Oak Park School Dist.
Pontiac City
Port Huron Area School Dist.
River Rouge School Dist.
Romulus Community
Rudyard Township
Saginaw City School Dist.
Sault Area Public Schools
South Haven Public Schools
St. Ignace
Willow Run Public Schools
Ypsilanti City

APPENDIX B

Elementary & Secondary School Civil Rights Survey
Required Under Title VI of the Civil Rights Act
Of 1964 & Under Title IX of the
Education Amendments of 1972
U.S. Department of Health, Education and Welfare
Office for Civil Rights, Washington, D.C.

	Col. 1 American Indian	Col. 2 Black American	Col. 3 Asian American	Col. 4 Spanish Surnamed American	Col. 5 All individuals NOT included in Cols. 1 - 4.	Col. 6 TOTALS
X.A. Report the number of pupils suspended for at least one day, but not more than 20 consecutive school days during the previous school year.						
B. Report the total number of suspension days during the previous school year.						

INSTRUCTIONS

ITEM X. Line A. Report in each column the number of pupils who have been suspended from any regular class program for at least one day and not more than 20 consecutive school days during the previous school year. Count each suspended pupil once, regardless of the number of times that pupil was suspended.

Line B. Report in each column the total number of suspension days from any regular class program during the previous school year. These numbers are to be obtained by adding together the total number of days suspended during the previous school year for all pupils within each racial/ethnic category.

IV. ALTERNATIVES TO SUSPENSION

THE CASE FOR ALTERNATIVES TO SUSPENSION OF MINORITY STUDENTS

Joseph P. Price*
with the assistance of
Christopher Wakefield

The Development of Public School Education

In colonial America schools were developed to serve two primary functions: to preserve the Puritan religion and to preserve the social and economic class system. Separate and unequal education was the norm throughout the colonies. The rich were educated to rule, the poor were trained to be moral, upright, thrifty and obedient.

Historians tell us that the revoluntionary spirit of 1776 and the westward migration were significant factors that contributed to a more liberal approach to education. During these formative years of our country, two influential scholars emerged and each sought to alter American schools in light of his own conception of democratic liberalism. Ben Franklin, a member of the middle class, promoted a pragmatic and utilitarian approach to education, an approach he believed would guarantee the ambitious interests of his own class. He was a great believer in self-education, the "pull yourself up by the bootstraps" school of thought. Franklin was convinced that the exceptionally talented among the poor might be uplifted also, through a display of personal discipline and fortitude. However, education for the vast majority of lower class youngsters remained virtually unchanged in spite of Franklin's fervent efforts.

Jefferson's vision of democracy called for the reduction of class barriers, but because he believed in the rather aristocratic idea of rewarding talent and virtue rather than in the inherent equality of all men, his educational philosophies reflected this bias. He intended, as he put it "to rake from the rubbish such geniuses as would otherwise, for lack

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of nourishment, be unable to develop their capacities." His plan called for three years of free elementary education for all poor white boys, and then, via a process of elimination, to enable a select few of them to attend college at the public expense. The inherently revoluntionary nature of this idea rested in the possibility of at least a few lower class children breaking out of the poverty cycle through education and moving up the social and economic ladder. The plan failed, at least in part from the unwillingness of the aristocracy to mingle with members of the working class, so a relatively democratic conception of education was defeated during its infancy.

As the North industrialized and the westward migration quickened, the public's well-being came to be perceived as dependent upon the education of the masses. Again economics played a driving force. An industrious, contented working class was needed to compete with the manufacturers of Great Britian. Educators theorized that the laborer would work more steadily and cheerfully if "his mind was disciplined by culture." Money to support public education was needed, and in order to loosen the purse strings of the rich, educators warned of revolution and danger to property rights if the masses were left "undisciplined" through lack of education. In general then, the emergence of mass education was rooted in activities designed to ensure the worker's acquiescence to the established polical and social order and did not reflect the aspirations of a broad-based democratic movement.

In spite of urgent warnings by educators, large segments of the upper classes continued to oppose tax supported education for the masses. This opposition encouraged leaders of the labor movement, who began to educate their own class to appreciate the value of free public schools.

It was not until the Civil War that the alliance between church and state dissolved significantly and intellectual education began to dominate the teaching of religious values. A number of education leaders became increasingly vocal about the need to "properly train" the masses in order to consolidate those gains won during the war. In most educated circles, however, blacks, Native Americans and other racial minorities were not considered to be part of the American "masses." Only within select clusters of the education community, which included the National Education Association and the Federal Bureau of Education, was it conceded that educated poor whites and racial minorities would pose less of a

tax burden to the government and reduce conflict across class, cultural and regional groups. In spite of the general disregard for minorities, the idea that a citizen needed education to fulfill his obligations was eventually accepted. However, the drive to feed the industrial machine of our economic system was sucking children and adults into sixteen-hour workdays and abject poverty, mitigating even the possibility of attending public school. These conditions enlisted still greater support for educational reforms designed to wipe out the social miseries born of industrial capitalism; eventually the so-called "American Dream" was thought to be realized by providing public instructions for all citizens.

Has that dream in fact been realized? The "masses" referred to by educational reformers at the turn of the century were primarily composed of white ethnic minorities. These groups, by and large, trusted the effectiveness of the school system in the nation's cities. They used the educational system as one method for becoming American--for learning the ways of the new culture and for gaining access into an economically secure middle class.

There are some interesting statistics however, to show that for many first and even second generation Americans, the schools played an important, but secondary role in their quest for middle class economic security. Although 90 percent of the school population dropped out of high school in 1915, most high school dropouts were employable in urban centers. The immigrant and his children found work in expanding "manufacturing and mechanical pursuits." Ethnic businesses and political organizations grounded in the ethnic neighborhoods were among the primary assimilating agents and were a prerequisite to school success. A high school diploma was seen as necessary to advance beyond the established levels of economic security. Economic security for certain ethnic groups was, therefore, a prerequisite to moving onto a broader middle class stage via education. There is data to support this contention. In school surveys carried out in the Midwest during the 1920s the performance of Scandanavian Americans far outdistanced other foreign Midwest groups. The same correlation existed between storekeeping Jews and more characteristically wage-laboring groups.

We have seen that the possibility for a better life among white ethnics was gained through job mobility and educational opportunity, even though the rate of growth fluctuated widely among the groups. Did the same opportunities exist for blacks and other dark skinned minorities? Obviously, the answer

is no. Blacks and dark skinned minorities were and still are struggling to obtain the same educational opportunities and benefits experienced by white citizens.

As early as 1827, the first Negro newspaper repeated a complaint made forty years earlier--that blacks received no benefits from the free schools. There was constant agitation by northern blacks in the 1840s and 1850s to abolish school segregation. But by 1860, except for Boston, which had integrated, the major urban cities hoped to stem the increasing demands for desegregation by providing separate, but equal schools. The inherent fallacies in that approach have been well documented.

After the Civil War and until the beginning of the 20th century, northern blacks attended integrated schools in increasingly large numbers. By the end of World War II however, boards of education in the North responded to the migration of blacks by developing policies that again resulted in racial segregation. Black opposition proved ineffective in reversing this trend until 1954.

This brief historical overview illuminates the pervasive effects of racism. Because of it, the two avenues used by white ethnics for acquiring middle class status--education and employment--did not have the same impact for poor blacks. Racial prejudice has kept large numbers of blacks out of the middle class by providing de jure or de facto segregated schools that are frequently inferior to their white counterparts. Racism has also prevented blacks from entering the skilled blue collar trades where job and financial security could be most readily obtained.

We have seen that, in fact, big city schools have never done the job they were expected to do: providing equal educational opportunities for all students. The basic character of the school system that served the expanding industrial society has changed little since the 1920s.

What has changed is the importance of academic proficiency in the quest for security and status. It is increasingly difficult for poor whites and racial minorities to move into the middle class without strong educational credentials. This means, in my opinion, that the path to social and economic security is more narrow than before. In yesterday's marketplace, the skills that were transmitted from generation to generation by successful European immigrants could be learned outside the formal educational setting. Today, a highly technological and competitive industrial system usually requires a command of basic academic skills and in many cases an academic credential for entry into the upwardly

mobile ladder of success.

The Impact of Suspension for Blacks and Minorities

There is little doubt that American schools are capable of educating mass numbers of children. Data collected by the National Center for Educational Statistics (1976) reveal that in 1870, 2 percent of Americans graduated from high school and by 1974 over three-fourths of our youth obtained a high school diploma. However, if we look at the statistics more critically, especially to understand who profits from the system, we can see that a significant discrepancy occurs along racial lines. For example, a comparison of the percentage of high school graduates in the 25-29 year-old age range with a similar group of white high school graduates reveals that:

a) in 1920, 22 percent of the white population within this age range were high school graduates, in contrast to only 6.3 percent of the black and other minority populations;
b) in 1940, 41.2 percent of the white population within this age range were high school graduates, in contrast to only 6.3 percent of the black and other minority populations;
c) in 1960, 63.7 percent of the white population as represented by the 25-29 year-old age range had completed high school while 38.6 percent of comparable age minority populations had completed high school;
d) in 1976, more than twenty years after the Brown (1954) decision, 86 percent of the white population in this select age range had graduated from high school. This figure stands in contrast with the 76.1 percent of a similar group of minority graduates during the same period.

As we analyze education statistics on a national level, in an effort to assess the equal education opportunities available to all citizens, it is appropriate and important for us to also consider the availability of opportunities in our own region--the state of Michigan. This is the region where most of us live; it is also the region where most of us can exert the greatest influence to effect educational change.

Michigan is well known for its industrial strength and for its progressive institutions. But has it achieved educational parity among its diverse racial groups? A brief examination of recent data suggest that it has not. According to the Michigan Educational Digest (1976), the median school years

completed for whites is 12.1, for blacks it is 10.6.

There are additional important data, I feel, that warrant our attention: the rate of suspension for junior and senior high school students in Michigan schools. Perhaps a succinct review of the findings obtained in a recent study by Vergon and Williams may illustrate one type of problem experienced by blacks and other minority youngsters in our education community. The study noted that 6.1 percent of the students in the sample were suspended at least once. This figure is in marked contrast with a nation suspension rate of 4.2 percent. A comparison of minority suspensions to white suspensions during that same year is even more distressing. Nine-and-one-half percent of the minority students surveyed in this study had been suspended, in comparison to only 4.4 percent of the white youngsters. (Nationally, 6.2 percent of the minority students were suspended in comparison to 3.0 percent of their white peers). In addition, a substantial variation was found to exist among Michigan districts in terms of the total population of all students suspended. The range extended from a high of nearly 13 percent in one district to a low of less than 1 percent in another district.

Finally, for Michigan districts taken as a group, the percentage of suspensions involving minorities was considerably higher than the percentage of minority enrollments. Although minorities comprised only 32 percent of the students enrolled, they incurred 51 percent of all the suspensions. The likelihood that a minority student would experience suspension in the Michigan districts as contrasted with a white classmate, was two to one.

Obviously, Michigan schools cannot continue to deny a meaningful education to the 25 percent of its student population who fail to graduate each year. Nor can the schools continue with disproportionate suspension practices.

Since black children represent a disproportionate segment of the suspended school population, I think it is important to understand the impact that certain social and psychological forces within the school may have on black children's self concept and coping processes and the relationship of these factors to classroom performance.

Issues in Social-Psychological Development

When the black child enters school, he encounters attitudes which erode his potential to develop academic competence. These attitudes are conveyed through the common use of such terms as: culturally deprived, identity foreclosure, negative identity, lack of self esteem, disorganized family, matriarchal family and genetic inferiority.

Although the validity of many of these concepts has been refuted, the characteristics of low self esteem do plague select groups of black youngsters. Deutsch (1967) found that urban black children reveal a more negative self image than their white peers. Deutsch suggests that the black child's low self esteem is, in part, a reflection of "the larger society's view of him as an inferior being and the expectation of inferior performance from him, as evidenced by the traditional denial to him of realistic vertical mobility possibilities."

In a related study, Helen Davidson and Judith Greenberg (1967) established a correlation between low self esteem and low achievement among black children in central Harlem. However, it should not be assumed that, as a result of these studies and others like them, that black youngsters do not want to be successful. Katz (1968) learned that most black children and their parents have inordinately high levels of aspiration. In fact, the levels of aspiration of black children are so high that it is impossible for them to achieve their desired levels. Katz also learned that the anticipation of failure, and harsh judgment by adults, lead to increased anxiety--and that the level of anxiety was highest in low achieving youngsters with high standards of self evaluation. From a psychological and educational perspective, their findings suggest that many black school age youngsters are socialized to self-imposed failure.

Why do black children as a group continue to be achievement oriented when white society defines black abilities as sub-standard? Poussaint (1974) suggests that through their socialization process, black children, like their white counterparts, acquire three special "patterned needs" which motivate their behavior--these include the following: the need for achievement, the need for self assertion and aggression, and the need for approval.

The first of these needs, that of achievement, can be linked to Protestant ethics--an individual can become successful through his own efforts, and the personal worth of an individual is defined by his ability to achieve that success. Most black (and white) children accept this creed and seek to satisfy their own needs through achievements that are encouraged and supported by their community. Thus we find the aspiration levels of blacks to be exceedingly high, although their desires are not matched by comparable levels of school achievement.

The need for self assertion and aggression, a second source of motivation among children, are also embedded in Protestant ethics; however assertion and aggression must be properly channeled if they are to be socially acceptable, especially within the school community. A study by Coleman (1966) identified three factors related to individual self assertion. They are: self expression, goal achievement and fate control. Of the three however, a sense of control over the environment showed the strongest relationship to achievement. In a study complementary to Coleman's, Davidson and Greenberg (1967) found that high achieving students were able to exercise more control and to better cope with hostility and anxiety generated by their environment than were low achieving students. Since black children reveal a lower sense of control over their environment than whites it is quite possible that the depressed school achievement of certain black children may be related to an inadequate sense of control over their environment.

The third source of motivation which helps to sustain the aspiration of black children and children in general is the need for approval. The emotional comfort that is derived from acceptance and support provided by peers, parents and school personnel serves as a powerful inducement for young blacks to continue displaying values which are sanctioned by these significant members of the community. So, as we examine the threatening social psychological forces directed toward many black children in school settings, and the vast amount of energy these children consume maintaining or developing a positive self concept, we can see the critical need for alternative educational experiences that will enhance black children's emotional well being and facilitate their achievement in the school community.

Educational Options to Suspension

Fortunately there are several alternative education movements in this country which have not only contributed to the impetus for change in the school community, but have established their own schools. It is of particular interest to note that the first of these alternative educational experiences was offered through the freedom schools, which were established in the South by civil rights workers during the early sixties. Their development grew out of the political and economic oppression experienced by blacks and other minorities in ultra-conservative communities.

Another movement that has contributed to the thrust for more options in education is represented by the counterculture. Members of this movement are primarily white middle class persons who perceive the school as a repressive and authoritarian institution, projecting the deteriorating values of American society. Like the sponsors of the freedom school, these reformers seek to establish new and different learning communities and schools that are free of the personal constraints so evident in the traditional school settings. This movement is represented by John Holt (1967), Herb Kohl (1972) and others.

Still another movement in support of alternative education programs is represented by an assortment of labels, such as "British Infant Schools," "Open Schools," or Informal Education Program. While the proposals associated with this movement are not as radical as those embraced by the counterculture movement, it has exerted a considerable influence on classroom practices within this country. Proponents of the open class have been quite generous in recommending more freedom for students, but students' "freedom of choice" does not extend to the basic academic content associated with traditional schools. Usually, students' choices are limited to the "conditions" under which learning will occur. In these settings, students are free to pursue ascribed academic areas in a more natural, personal and experimental manner; however, the school remains structured, although it operates more informally than traditional facilities.

Collectively these movements have helped to highlight the variety of well established educational alternatives that have long been available to upper class children and some middle class children. They also contribute to the creation of new options for citizens dissatisfied with public schools. For example, Harlem Prep was established in New York City. It groomed disenchanted public school

students to a level of performance which made them eligible for college admission. In Philadelphia the idea of a school without walls became a household concept overnight. More recently the voucher plan advocated by Jenks (1970) of Harvard University has emerged as an option to traditional educational financing. While its utility has been seriously challenged, the plan has fostered movement for alternative experience within the school community.

Although a considerable clamor is being made to stress the need for greater variance in the delivery of educational services, the alternative school movements have been fraught with conflict regarding their ultimate goals. Among the more extreme considerations was the notion that public schools should serve as a vehicle to achieve fundamental changes in the social system. It was assumed that schools could be operated in a manner that would eventually produce innovative and resourceful young adults capable of altering common practices in the major institutions of this country which impede the mobility of minorities and the poor. At present there is little evidence to suggest that recent high school graduates can or will have a dramatic impact on the fundamental practices of General Motors or American Telephone and Telegraph or other primary sources of influence in our society.

I have met radical educators, working in alternative schools located in poor black communities, who suggest that the teaching of reading should be terminated because it is rapidly becoming obsolete as a means of acquiring knowledge. When I think of the potential consequences of poor and minority groups seeking to gain greater influence over their own existence, I shudder at the thought of the resulting dependency and impotence that would stem from the failure to produce leaders capable of competing with the established power elite. I have never met a lawyer, surgeon, banker, engineer or politician, who did not know how to read.

Another familiar goal mentioned by certain radical members of the alternative school movements is to close the schools because they interfere with "real learning." In my opinion the acquisition of basic skills in reading, writing, math and problem solving, in addition to developing knowledge of history, economics, biology and psychology, can be described as "real learning." While I recognize the urgent need for substantive school reform, I do not, and I do not encourage you to support any considerations to close the schools as an institution.

The fact is that schools will remain open and remain in their basic form because they fulfill many critical needs in our community. Dreeben (1968) cites the following rationale in support of this position. Schools:

- socialize the young and teach them to adapt to an impersonal and hierarchical society
- provide teachers with a place of employment and a stage to act our many important life roles
- offer parents effective custodial care for their young. Parents may approve any changes in that care that do not reduce the school custodial effectiveness
- serve as a social institution for students by providing them with a setting in which to meet compatible peers.

I think schools will undergo pronounced change when parents are ready and willing to support recommended changes. At present most parents are relatively satisfied with the school as an institution. Gallup's Fourth Annual Poll of Public Attitude Toward Education (1972) indicated only 7 percent of the public feel schools are to blame when children do poorly in them.

In spite of the numerous factors which mitigate against radical and abrupt changes in the fundamental character of the traditional school, there are a variety of forces which clearly contributed to a willingness by the total community to effect alternatives in school practices and procedures. For example:

- the Civil Rights movement and the counter-culture movement have made innovation fashionable
- the high salaries demanded by experienced teachers force administrators to hire younger teachers who may be more radical than the veteran employees and also less concerned with tradition
- the increase in school social disruption creates a pressing need for educational options
- the desire for increased community control and influence over school policies
- the recognition of basic differences among children

This latter consideration is so extensive and pervasive it makes me question why we ever resisted the notion of alternative programs. Harold and Mary Jones (1962) have identified some of the common forms of variance among school age youngsters:

- personality
- attitude toward peer culture
- reaction to physical characteristics
- sex development and identification
- value orientation
- concern for leadership and prestige
- preference for independence

It is also currently recognized that assorted tasks require various skills and modes of learning--that is, there are different ways of experiencing and knowing what the world is all about. These forms of diversity which exist among students indicate that alternatives in educational programs are essential if the schools are to remain viable.

To truly satisfy the needs of our heterogeneous student population schools will require radical and fundamental alterations; such severe restructuring of the school will require greater community support than is now evident. However, important reforms can be initiated, right now, by teachers and administrators within the local school building. The types of reforms which are commonly promoted by people interested in alternative education are usually under the control of the building administrator. These include staff arrangements, room assignments, grouping strategies, scheduling patterns and high interest courses.

There is no question in my mind that these conditions for learning can and do influence the behavior and performance of students. Yet, I would like to also make a special plea for you to consider altering the curriculum to include learning experiences that will enhance students' social skills. As we consider the unique characteristics of the studerts comprising the suspension group, negative social behavior looms as one of the more prominent features. The problem of social behavior appears even more serious when we assess the impact these students frequently have on the general social climate of the school.

Many of these youngsters in the suspension population reflect an unwillingness rather than an inability to learn. However, the absence of academic skills, compounded by marginal social skills leaves the students feeling alienated from school personnel and school activities. With the passage of time, these students tend to devalue school as an institution; frequently they question the dignity of labor and are reluctant to work. It is not uncommon

for such youngsters to direct their mounting hostility toward school authorities.

It is with these considerations in mind that I advocate establishing some form of educational experience designed to help students gain a better understanding of their social behavior and its impact on the climate of the school. The choices of programs that could be established in a given setting are numerous, even if only the most familiar ones are considered. These choices could include:

- crisis counselors
- parent counselors
- affective or confluent education
- group influence
- a cooperative school approach using a combination of the above

or adopting a more extensive approach such as a school-based interagency effort as was implemented by the Yerba Buena High School in San Jose, California. This school had been characterized by violence, vandalism, truancy, very little learning and very little social harmony. Yet, school personnel were able to convince community agency groups that the school was the most viable institution they had, and provided the greatest personal contact with community residents. Thus Yerba Buena High School soon became the focal point for coordinating most community services, including those of social welfare, police and public health. This interagency approach to problem solving has permeated the entire school program and produced a dramatic impact on the social climate. Violence and vandalism have been reduced and the kids are learning.

As I consider the problems at Yerba Buena, I find both the situation and the strategies for remediation to be similar to those described by many other alternative education programs. The excitement that looms for me in this illustration comes not from the unique characteristics of the problems or the solutions. Rather it comes from the level of commitment of local school and community members engaging in the development of a more creative learning environment for a highly disenchanted group of young people. If the education needs of this segment of the student population are to be met, it will have to be achieved by people like yourselves: people who know the students and can adapt the school and community resources to match the interest and learning styles of individual trainees. It is only through such effects that all members of the student body may begin to feel that each person truly has equal educational opportunities in the classroom.

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A SURVEY OF ALTERNATIVES TO SUSPENSION

Marian P. Malone*

The term "alternative" as currently used in educational circles has numerous meanings. In an effort to examine the theoretical framework of alternative schooling Goodlad and Rehage[1] in 1977 noted that the term was being used as educational jargon without respect to meaning. Given the seriousness of this topic, a definition for suspension alternatives is offered. An alternative to school suspension may be defined as any mechanism that is built into the system that will replace suspension as a discipline tool, or decrease the need for its usage.

Until recently, school system exclusionary devices such as suspensions were practically invisible. The Children's Defense Fund (C.D.F.)[2] noted in their research of 1975 that neither the federal, nor state, nor local governments had any idea of how many children were suspended from school. In 1972, the Office for Civil Rights began collecting data for the purpose of discovering whether suspension patterns reflected racial discrimination in school districts with high minority enrollment. This rise in visibility of school suspension patterns has signalled a red alert for many school systems to design and implement alternatives to suspension programs. Many systems have piloted a variety of disciplinary alternatives; among those are detention after school hours, class or building transfers, behavior contracts, student ombudsmen, peer counseling in school suspensions, industrial skills centers, career study centers and district-wide alternative schools. The nature and design of the alternatives have been determined by the growing number of student suspensions. The following table is an indicator of the need for suspension alternatives.

Table I

Number and Percent of Student Suspensions

	Enrollment	Suspensions	Percent Suspended
Nation	24,188,681	1,012,347	4.2%
Midwest	3,086,036	124,582	4.1%
State of Michigan	385,251	23,457	6.1%

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Vergon and Williams'[3] analysis of data collected by the O.C.R. also shows that of the minority students that were enrolled in districts studied in the state of Michigan, 17,300 or 9.5 percent were suspended at least once during the school year of 1972-73, as contrasted to 4.4 percent of the majority student population.

The vast majority of school suspensions as indicated in C.D.F.'s survey were for non-dangerous, non-violent offenses which do not have a seriously disruptive effect on the educational process. A great deal of the suspensions were for truancy, tardiness, smoking and minor violations of dress codes. Less than 3 percent of the suspensions were for offenses of a criminal nature. Approximately one-third of the suspensions involved fighting; all but a small proportion of these fights were between students rather than incidents of violence against adults.

A growing number of school systems are becoming sensitive to their need to provide educational opportunities to students whose behavior has placed them at odds with the school; consequently, more school systems are seeking an awareness of the effective and efficient use of suspension alternatives. The Project for Fair Administration of Student Discipline[4] supports the notion that many alternatives to suspension are not new innovative programs, but are, instead, common sense ventures which should and could be a part of regular school operations. Among those improved school operations are consistency in school rules, consistency in rule enforcement, and building a better relationship with parents and community, whether through P.T.O.s or otherwise. Mark Yudof (1975),[5] in an attempt to address student suspensions, suggested that public educators should be held responsible for correcting the malfunctions of the educational process or creating viable alternatives for suspended students.

Some alternatives may be found in structural changes within school systems, while other alternatives may require added school resources. Appended are descriptions of some suspension alternatives programs. They range from in-house programs designed to meet specific discipline needs, to programs that provide a separate setting for disruptive students. Most of the alternatives listed have the following features in common. They:

- have auxiliary and support services to deal with behavior problems,
- are designed to service students for a short period of time,
- are student centered,
- are small enough to build in teacher accountability,
- serve diverse age groups.

Notes

[1]J. Goodlad and K. Rehage, "Alternative Schools: Language and Meaning," Today's Education (January 1977): 84-87.

[2]Children's Defense Fund, School Suspensions, Washington Research Project (1975): 96-98.

[3]Vergon and Williams, "Suspension Practice in Michigan: A Preliminary Accounting." This volume.

[4]Project for the Fair Administration of Student Discipline, Phase One Report, University of Michigan, Ann Arbor, 1976.

[5]Mark Yudof, "Academic Capital Punishment," Law and Contemporary Problems, vol. 39, no. 2: 375-378.

APPENDIX

Part I

Alternatives to Suspension in Traditional Schools

The following is a brief listing of practices that many schools are using to avoid student suspension, and to remedy future student misbehaviors. Most of this list represents the basic program types that operate as a student discipline component of the traditional school setting. Many school systems operate alternative schools to service those students who present severe discipline problems and are unable to cope with the traditional school environment.

Student Development Center

CONTACT PERSON: Ronald Payoh
24600 Greenfield
Oak Park, Michigan
(313) 548-0043

Grade level of students: 7-12

Number of students enrolled: 40-50

Jointly funded by LEAA and the three school districts of Oak Park, Ferndale and Berkley, the center is an educational alternative for behavior problem students who are referred by the school system. Any student recommended to the center the school is willing to take back within ten days. About 85 percent are adjudicated youth. Classes range from sociology, music and self-concept to individualized vocational centered classes.

Reclamation Room

CONTACT PERSON: Dr. A. Hayes
Caddo Parish School Board
1961 Midway Street
Shreveport, LA 71108

Grade level of students: junior and senior high school

Number of students enrolled: varies with discipline referrals

Source of funding: unavailable

The Caddo Parish Reclamation Room is designed to give students an opportunity to continue their school work with the assistance of a discipline counselor. If students choose the "R" room, teachers are responsible for providing regular daily assignments and all tests to the discipline counselor. No school time is lost, but a student is not allowed to attend any extracurricular activites during the time he or she is assigned to the "R" room.

Work Study Program

CONTACT PERSON: Dean F. Betther
Mt. Pleasant School District
La Palma Junior High School
Buena Park, California

Grade level of students: varies

Number of students enrolled: varies with number of referrals

Source of funding: unavailable

Students are given work study as an alternative to suspension in discipline cases ranging from excessive tardiness to fighting or extreme cases of verbal abuse. A contract is negotiated with the student, the student's parent and the school administrator as to the nature of the work assignment, the quality of the work, and the duration of the assignment. Students are assigned to do work around the school after school hours, such as clerical or custodial jobs. The program operates three to four days weekly. The average length of work assignments is ten days.

School-Within-a-School

CONTACT PERSON: Mr. Gary Marx
13701 Oak Park Blvd.
Oak Park, Michigan 48237
(313) 548-1634

Grade level of students: 9-12

Number of students enrolled: 80-100

Source of funding: unavailable

Classes are offered in four areas: language arts, math and sciences, social studies, and career exploration. Classes are offered on four-week cycles, and students are required to participate in a homebase guidance activity for course credit. Additional classes may be taken in the regular high school program.

Behavior Clinic

CONTACT PERSON: Mr. Marion Cortez, Director
Federal Programs
Lafayette Parish Schools
P. O. box 2158
Lafayette, Louisiana

Grade level of students: junior and senior high school

Number of students enrolled: varies with referrals

Source of funding: ESAA Title VII

The ESAA Behavior Clinic was developed several years ago to provide an alternative to suspension at the request of the Lafayette Parish School Board. The school board decided to abandon the school system's policy of suspending students for smoking, attendance, fighting and class cutting. In place of suspension, an in-school program was instituted allowing students to remain in their regular classes during the regular school day and then attend an after school clinic. The clinic provides assistance to students in modifying their behavior. Once in the clinic, each student is provided both individual and group counseling in such areas as self-concept, self-acceptance, value clarification and behavior consequences. All activities are geared to providing the student with the tools to develop a higher level of tolerance and self-control while preserving the student's self-esteem.

No student can attend the clinic more than once for the same offense, and no one is given the option of attending the clinic more than twice during the school year.

Student Service Center

CONTACT PERSON: Paul R. Hunt
Westwood Public Schools
25912 Annapolis
Inkster, MI 48141

Grade level of students: junior high school

Number of students enrolled: varies with incidents of misbehavior

Source of funding: school system

The Student Service Center is designed to provide students with immediate access to an adult with whom they can seek assistance in dealing with situations that are causing stress for either the student or other persons in the school community, teachers,

administrators, or other students. In addition to personalized counseling, the center serves as a lounge area with a variety of reading materials and games.

The program has experienced some success. Many of the students who used the services of the center during the pilot year, are now participating as student counselors. The program design encourages students to become involved in peer counseling relationships.

Quachita Parish Alternative Program

CONTACT PERSON: Flordy Harris, Supervisor
Child Welfare
Quachita School Board
P. O. Box 1642
Monroe, LA 71201

Grade level of students: junior and senior high school

Number of students enrolled: 48 students

Source of funding: local parish

This program provides instructions in English, science, math and social studies to suspension-prone students. It is designed to be an integral part of the parish's attempt to reduce suspensions. It differs from many other such programs of this type in that it is not designed for slow learners, nor is it geared to accelerate a student's progress. The objectives are to take the students who are having adjustment problems and to:

- -change attitudes and behavior of student to help him/her adjust to school environment
- -prepare the student to re-enter his/her regular school the next school year.

Alternative Center for Education (Student Development Center)

CONTACT PERSON: Ron Perian
Redford Union Public Schools
17711 Kinloch
Detroit, MI

Grade level of students: 9-12

Number of students enrolled: 35

Source of funding: Wayne County Juvenile Facility

The student development center is designed to service students who have been referred due to difficulties in coping with the regular school setting, or because they have dropped out of school altogether.

Several teachers provide individualized instruction. Students can take the necessary time needed to learn the things that they need to know in order to move back into the regular program.

Project Focus (Family Group Concept)

CONTACT PERSON: Sue Schilligin, Program Coordinator
211 N. McCarron's Blvd.
St. Paul, Minnesota 55113
(612) 489-1327

Grade level of students: multi-age

Number of students enrolled: varies

Source of funding: unavailable

This program is designed to deal with students who are experiencing both academic and social adjustment problems. Among the factors characterizing such a student are chronic tardiness or absenteeism, poor self-concept, and limited enthusiasm for class work.

The program operates as a school-within-a-school, with the most classes being held in a separate wing of the school. Students are required to take English, math, and American history. Peer pressure under the supervision of adults is used to influence student behavior.

Intervention Room

CONTACT PERSON: Mr. Joseph Marchise, Jr., Program Coordinator
New Orleans Schools
731 St. Charles Ave.
New Orleans, LA 70130
(504) 524-8592 ext. 314

Grade level of students: junior and senior high school

Number of students enrolled: varies

Source of funding: unavailable

This alternative program is geared to long term problem identification and problem solving skills for students. The intervention room may be used as a temporary cooling off room for disruptive students, but the ultimate goal is to remove the student prior to the time that the disruption is escalated to a major discipline problem. Regularly scheduled group counseling activities are provided to assist students in identifying solutions to their problems.

During the first year of operation, suspensions were reduced by 27 percent compared with the previous year.

In School Suspension

CONTACT PERSON: James Murchison
Smith Jr. High School
400 Tyrola Road
Charlotte, North Carolina 28210
(704) 523-5121

Grade level of students: 9-12

Number of students enrolled: approximately 100

Source of funding: school system

The In School Suspension program is designed to punish students for severe policy infractions, alcohol, drugs, and violent behavior. Students are confined to the suspension room for 2-5 days and are deprived of all extracurricular school activities. The suspension room has very rigid rules on attendance and class participation. All students who are assigned to suspension room are scheduled for cafeteria and other school activities at isolated periods during the day. There is almost no contact with students in the regular school setting.

The program has very few students returning for misbehavior. At the end of the first year only 23 of 173 students were repeaters. No mention was made of the number of sample students who dropped out of school.

Social Work Approach to Suspension

CONTACT PERSON: Mr. Milton Crosby
Jefferson Parish Public School System
519 Huey Long Ave.
Gretna, LA 70053

Grade level of students: middle school

Number of students enrolled: varies

Source of funding: ESAA Title VII

The first part of the program is an in-school alternative to suspension called the intervention room. Its purposes are to keep children in school as well as to reduce the number of classroom disruptions. Other purposes include providing an opportunity for immediate resolution of classroom behavior problems, providing the classroom teacher with a constructive approach to deal with classroom disturbances and

providing a therapeutic setting for those students who are experiencing school adjustment problems.

The second part of this program involves a social worker working closely with the permanent counselor assigned to the school in order to facilitate use of previously obtained data and to avoid duplication of efforts. The social worker's special emphasis is to employ human relations and social interaction techniques. The social worker maintains records on the student's progress.

The Alpha School

CONTACT PERSON: Mr. John Soave
Livonia Public School
29530 Munger
Livonia, MI
(313) 522-6080

Grade level of students: 10-12

Number of students enrolled: 40-50

Source of funding: school system

A mixture of approximately 20 community volunteers and 25 high school students who are having school attendance problems attend daily workshops with an emphasis on personal and group goal setting, value clarification and examination, and personal planning in an informal setting. Students also make personal contracts for individual study of community service projects, take courses back in their original high school, or attend classes in local night school or community college program.

Positive Alternatives to Student Suspensions (PASS)

CONTACT PERSON: John C. Kackley, Program Director
801 6th St. South
St. Petersburg, FL 33701
(813) 821-5260

Grade level of students: 9-12

Number of students enrolled: varies with referrals

A detailed description of the PASS program is included in this volume in the article entitled "Positive Alternatives to Student Suspensions" by Ralph Bailey.

Additional Resource Contacts: Alternatives to Suspension

Mr. Hayes Mizell
American Friends Service Committee
401 Columbia Building
Columbia, South Carolina 29201

Special Interest: Program Assessment and Evaluation

Dr. Robert Barr
International Consortium for Options
in Public Education
Indiana University
Bloomington, IN

Special Interest: Alternative Schools

Alternatives for Education
P. O. Box 1028
San Pedro, CA

Special Interest: Student Advocacy

Mr. Paul Bader
School Youth Advocacy
Dept. of Social Services
300 S. Capital Ave.
Lansing, MI

Special Interest: Guided Group Interaction

Center for New Schools
59 E. Van Buren
Suite 1800
Chicago, IL

Special Interest: Community Consultation; Alternatives to Suspension

Part II

Alternative Schools

Many alternatives to suspension programs have evolved into separate schools, either due to increasingly large enrollments in the initial alternative program, or the increasingly difficult task of offering those program designs that constitute a viable and visible alternative. Some alternative schools continue to operate as a part of the public school system, while others operate independent of the school system, but service the school population and community.

Walker Open School

Contact Person: Doris E. Orr
912 Kearsley St.,
Flint, MI

Number of Students Enrolled: 200-210

Grade Level of Students: K-6

Funding Source: School System

This program was organized by a group of parents who had worked together in cooperative nursery school and who wanted to continue an open, informal learning arrangement for their children. Parents continue to be heavily involved as volunteers in the program.

Academic Interest Center

Contact Person: Dr. William Helder
500 W. Lenawee St.,
Lansing, MI

Number of Students Enrolled: 400-500 (varies)

Grade Level of Students: High School

Funding Source: School System

Students from various high schools come to the Center to take one or more classes daily. The Academic Center courses supplement the regular high school program. Most of the courses are advanced and specialized. An example of some of the lecture courses are anthropology, archaeology, world understanding and comparative cultures. Several seminars are offered in the area of law, local and state government, and literature. The student's day begins and ends with the student in his or her home base school.

Extended School Year Program

Contact Person: Florence Parattoni
313 W. Main St.,
Northville, MI
(313) 349-3400

Number of Students Enrolled: 1/2 of total school's population

Grade Level of Students: 1-12

Funding Source: School System

Extended School Year Program, Con't.

Students and teachers in this program are on a cycle of 45 days (nine weeks) in school and 15 days on vacation (three weeks). One of the three periods in early summer is extended to five weeks. Program participants also have the same holidays off as the standard program. An emphasis is placed on building personal relationships between adults and students. Participants are given personalized academic programs.

Regenesis

Contact Person: Kathleen Densmore
405 W. Main St.,
Northville, MI 48167
(313) 349-3400, ext. 206

Number of Students Enrolled: 35-40

Grade Level of Students: high school

Source of Funding: not available

This is an alternative school available to any high school student in Northville. The program began in 1976 with students selecting the school name, and writing the 21 school goals. The goals have been identified and agreed upon by the teachers and administration. Several students are gaining class credit through work experiences in the community. Work is being started to establish a basic skills reinforcement program on an individual basis. A diagnostic work up has been done on each enrollee in reading, math, and affective areas.

Multi-Level Program

Contact Person: Mr. William Cordell
Ford Elementary School
1620 E. Elza
Hazel Park, MI

Number of Students Enrolled: 100 of a 600-student school.

Grade Level of Students: 1-6

Source of funding: school system

There are four teachers in four adjoining classrooms working with four groups of students. Three of the four classrooms work with students in grades first through sixth. The average size of a class is

Multi-Level Program, Con't.

about 28. The students represent a cross-section of the total school population. Once a year, parents of 600 students are surveyed and given an opportunity to participate. Twenty-five to 30 percent of all the students presently enrolled in the program have been participants for 3 or 4 years, consecutively. Some students have exercised their option to return to the traditional school setting. The four teachers have teaching experience at both the upper and lower elementary school level. Each teacher retains responsibility for a group of students, even though she or he works with various groups on a given schedule. Much of the class work is project oriented.

BETA (Better Education Through Alternatives)

Contact Person: Dean Schutz

Number of Students Enrolled: 40

Grade Level of Students: 10-12

Source of Funding: school system

Students are selected from Franklin and Churchill High School. An emphasis is placed on individual contracts for performance. The curriculum consists of communication skills, math, and social studies. Additional seminars are conducted to deal with personal and group goal setting.

Vocational Interest Program

Contact Person: Hugh Laird
Keeler Elementary School
Redford Union Schools
17715 Brady
Redford, MI

Number of Students Enrolled: 45

Grade Level of Students: 6th grade

The program is designed for students who have demonstrated a continuing disinterest in the school's regular program. They are given an opportunity to spend the seventh grade in vocationally-oriented programs that provide intensive student-adult interaction and a wide range of experiences in their center and in the larger community.

(FLEX) (Flexible Learning Alternatives)

Contact Person: Bill Waum
2601 Lone Pine Rd.,
Orchard Lake, MI 48033
(313) 851-1383

Number of Students Enrolled: 130

Grade Level of Students: 7-9

Funding Source: school system

This program operates as a school-within-a-school for half of each school day. The students are given three alternative ways of working in the academic areas of social studies and language arts. Each student must elect a classroom taught by a teacher three time per week, a seminar in which pairs or teams of students work on projects twice a week, and independent study at least once a week. Mini-classes or student interest seminars are changed every five to six weeks.

Metropolitan Youth Education Center

Contact Person: Byron Graber
1420 Kalameth St.,
Denver, CO 80202

Number of Students Enrolled: varies

Grade Level of Students: varies

Funding Source: not available

This center, which is designed to help young people who are actual or potential dropouts, is the joint effort of the public school systems of Denver and Jefferson County, Colorado's two largest school systems. It started with 32 students at a Jefferson County location in 1964. Today, it operates in four locations and provides educational and job training opportunities for more than 2,000 young people.

The Center's driving purpose is "to fit the needs of pupils whose own uniqueness other more conventional schools have overlooked." The school runs on a 12-month basis, but students may interrupt their studies at will and reenter at their own convenience because of the individualized, self-pacing nature of the instruction. The Center has helped thousands of students, who, almost certainly, would not otherwise have finished their high school education.

Peabody Magnet High School - Rapides Parish

Contact Person: Mr. Claude J. Davis, Ass't. Supt.,
P. O. Box 1230
Alexandria, LA 71301

Grade Level of Students Enrolled: 9-12

Number of Students Enrolled: 1,200

Source of Funding: state and local

Level of funding: $90,000

Cost Per Student: approximately $75.00

The Peabody Magnet High Schools in Rapides Parish is one of the largest alternative schools in the state, serving 1,200 students with a wide range of offerings. Outlined in the "Student Registration Guide" are well over 300 subjects, ranging from "Nature Study and Environmental Awareness" to "Introduction to Salesmanship," all designed to "develop the fundamental skills and to satisfy personal and social needs." It must be realized, however, that Peabody students who expect to graduate must also fulfill the state minimum course requirements before a diploma can be issued.

Students and faculty are carefully selected to insure that all contribute to the development of a healthy educational environment; an environment which is conducive to learning, and to serve the needs of everyone involved. Criteria for admission include a demonstrated desire to attend the school, as well as the recommendation of the student's principal. Once enrolled, each pupil is carefully guided through a specific program of study based on his or her special interests, skills, and goals. The student guide states that these "Personalized Programs... offer the student an opportunity for a well-planned, systematic course of study...and thus, better prepares the student for entry into college, further vocational training or the world of work."

Seniors have a number of attendance options. They can attend school an entire day or part of the day. For qualified students, time is given to attend Peabody a part of the day and college the remainder.

Gifted and Talented Program - Lincoln Parish

Contact Person: Mr. Bobby G. Campbell, Dir. of Inst.,
Lincoln Parish School Board
300 S. Farmerville St.,
Ruston, LA 71270

Gifted and Talented Program, (con't).

Grade Level of Students Enrolled: 6-12

Number of Students Enrolled: 54

Source of Funding: special education

Level of Funding: unavailable

Cost per Student: unavailable

The Gifted and Talented Program of Lincoln Parish was started in 1974 and works with students in grades 6 through 12. Its major purpose is to provide selected students with an educational environment that will teach them to use their special talents in the solution of problems related to the various subjects they pursue. Sixth, seventh, and eighth graders study subjects related to humanities, while the older students investigate any area that interests them. Three teachers are assigned 18 students each. Funding is through special education with no additional funding required for materials and books.

Middle School Dropout Prevention Program (Project Reach) Jefferson Parish

Contact Person: Mrs. Ruth Autin, Dir.,
Special Projects
Jefferson Parish School Board
519 Huey P. Long Avenue
Gretna, LA 70053

Grade Level of Students Enrolled: varies -- majority of students have not reached high school.

Number of Students Enrolled: approximately 100

Source of Funding: school board and Title I

Level of Funding: $126,000

Cost Per Student: $1,260.

Several years ago, the Jefferson Parish School System became concerned with a high rate of juvenile delinquency in the Parish and decided to begin a pilot program designed to try to eradicate the problem. Three-year pilot funding was secured under the Law Enforcement Act and Project REACH was born.

Today, funding is provided by Title I and the Jefferson Parish School System. The program is officially called the Middle School Dropout Prevention Program, although many still use the name REACH.

Project Reach, Con't.

The program is centered around a belief that a student's interest for school can be improved to the point where that person will want to re-enter a "regular" school.

Students eligible for the project are junior high aged males who have either dropped out of school or have been indefinitely suspended from Title I middle schools. All are at least one or more years below grade level. Once it is determined that a particular student meets the above criteria, a referral is made to the project social counselor and there begins a series of counseling sessions with the student, his or her parents, and former teachers to determine the best course of action to alleviate the problems that exist.

Once the student is admitted, he or she is immediately started on the activities of a program that is organized into three parts. The first, Basic Education, provides individualized instruction in reading and mathematics. Here, all activities are structured in such a way as to give the student as many success experiences as possible. Special materials used included EDL Reading Labs, Open Highways, Low Level/High Level, and Read Magazine.

The second part of the curriculum deals with pre-vocational training. This component offers training in the two areas of power mechanics and construction. Pre-vocational instructors teach students how to assemble and disassemble engines, as well as basic theory on how and why engines do what they do. The construction phase is designed to give students a basic understanding of reading blueprints, mechanical drawing, carpentry, woodworking and crafts. For both activities, complete shop facilities are available.

The final program component, recreational activities, is designed to "encourage regular attendance and to provide the desired outcomes with regard to attitudinal development of socially acceptable behavior patterns." This is accomplished by allowing the students sufficient time to participate in such sports as football, baseball, basketball and bowling. But team sports make up only a part of this activity. Students also attend films, and take field trips to the various sites of interest in the New Orleans-Jefferson area.

The 1975-76 school year saw changes in the makeup of the student body prompted by the Title IX legislation; provisions were made to include female students for the 1976-77 school year.

STRATEGIES FOR REDUCING THE DISPROPORTIONATE RACIAL IMPACT ON SUSPENSIONS: THE DALLAS EXPERIENCE

William H. Cotton*

A few days ago, one of the daily newspapers in Dallas had an editorial on violence in schools. This article stated:

> Violence in the schools is not a myth. It is a shocking reality of today's society.
>
> More than 100 students were murdered in 1973 on and near the premises of schools, according to a U.S. Senate Subcommittee's report on violence in the national educational system.
>
> The cause of this upsurge of student violence is many fold, but one great factor is the decline of parental supervision over children and the decline of community support for discipline in the public schools.
>
> The public schools face a particularly difficult problem in that demands are placed upon them which private schools do not meet.
>
> If we dare let this violence grow in the schools, we will undermine one of the basic needs of our civilization--a good educational system.

In order to understand the court's case that led to our affirmative action program, it is necessary to put in perspective the issue of the pushouts.

The Southern Regional Council, formed three decades ago to point out the inequities created by segregation and racial discrimination, published a report last year entitled The Student Pushout. It deals with the student who is expelled or suspended from school and finally drops out. The Council found that the pushout problem is widespread and they charged that there is a pattern of continuing resistance to desegregation. The report indicates that past desegregation discrimination results in the continuing denial of equal educational opportunity and in frustration of both the Civil Rights Act of 1964 and the 14th Amendment to the Constitution.

In human terms, the report says that pushouts

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caused by discrimination result in large numbers of young people who have lost hope and are marked by despair and bitterness. Often they graduate into the world of drugs, delinquency, unemployment and welfare.

The Southern Regional Council's study concluded that the disproportionate nature of suspensions of minorities in Dallas indicates some degree of discrimination. While other major school districts also showed a much higher suspension record for minorities, Dallas had the dubious distinction of having the highest number of suspensions for the 1971-1972 school year. That year about 70 percent of the district's total suspensions were minority students, even though they made up only about 40 percent of the total student body.

A report from Florida's Governor's Task Force on Disruptive Youth sheds some light on the reasons for the high suspension level of minorities nationwide. The group studied eighty-seven variables and isolated six predictors of students who would evidence disruptive behavior. These factors were: male, black, low test scores, low I.Q., low grade point average and no referral for psychological assistance.

They found the most powerful predictor to be grades, and particularly reading ability.

Regardless of the reasons for suspension, the stage was set for the event which led to the affirmative action program.

On 17 April 1972, a complaint was filed in the U.S. District Court in the northern district of Texas on behalf of a black student and a class of black students who had been suspended from various schools in the Dallas Independent School District. The named plaintiff, Hawkins, filed this action on the grounds of racial discrimination, denial of equal protection and denial of due process in suspension procedures.

Over two years after the plaintiff's plea for relief, the court began hearings on 7 May 1974. During the hearings, the plaintiffs introduced two expert witnesses--Dr. Scott Kester, an expert in educational psychology and statistical analysis, and Dr. Reuben McDaniel, an expert in institutional racism within the educational system.

Dr. Kester's testimony included a report that statistics for corporal punishment and suspensions during 1972, 1973 and the first half of 1974 showed that 60 percent of the suspensions in the district were for non-violent conduct (i.e., truancy, class-cutting and talking back to the teacher.) Dr. Kester testified that his study of the district revealed a significant disparity between discipline administered to black and white students, and he identified two possible reasons for the differences: racial bias in

the administration of student discipline and increased "suspendable conduct" on the part of black students.

In his testimony, Dr. McDaniel pointed out a close relationship between these two possible causes of unequal treatment.

He noted that, when white administrators make the major decisions for an institution, that institution is "white controlled." If the standard operating procedures that follow major decisions are unresponsive to the needs of any racial group, institutional racism exists. The racial group that is involved may respond to institutional racism either through increased passivity or through increased hostility which results in increased suspendable behavior.

Following the plaintiff's testimony, the Dallas Independent School District's expert witness, Dr. Nolan Estes, acknowledged the existence of institutional racism in the district and its impact on the incidence of suspensions. During his five hours of testimony, he also informed the court that there are fifteen or more additional variables that cause suspendable behavior. Such variables include cultural differences, attendance in school, attitude toward authority, support for education in the home, staff desegregation, socioeconomic status and achievement levels. Dr. Estes also gave detailed testimony about the many programs that the district has initiated in the last three years to make desegregation work.

The hearings closed on 10 May 1974, and on 5 June 1974, the court handed down its judgment and "further ordered, adjudged and decreed that the defendants be and hereby are directed to initiate an affirmative action program aimed at the removal of institutional racism by programs affecting institutional and structural changes, the training of teachers and counselors, the training of students to deal with institutional racism and activation of community and environmental programs of similar affirmative action. Such programs to be initiated by the start of the 1974-75 school year."

In response, the Dallas Board of Education adopted an affirmative action program for the district on 2 August 1974.

This program is conceived as a program that involves broad-based participation of all elements of those concerned with the schools, including the community at large. Because it is designed to foster real involvement, it places primary responsibility for generating specific plans and activities on those who are most affected, with the task of the affirmative action office being one of guidance, support, record-keeping, scheduling and overall direction.

In addition to the development of affirmative action strategies by individual schools and central office departments, certain district-wide activities

support the affirmative action efforts.

1. Review of District Policies and Procedures
A representative ad hoc task force of teachers, administrators, other staff and community members conducted a comprehensive examination of board and administrative policies, procedures and practices. Findings and recommendations from this committee have been presented to the Board of Education.

2. Staff Development
The affirmative action program calls for a major thrust of the district's staff development program to be directed toward providing school personnel with necessary concepts, knowledge and skills regarding multi-racial education. Individual school staffs and central administrative staff have different needs and schedules hence, two distinct programs of staff development for these two groups have been instituted.

For local school staffs, the affirmative action program designates the released-time staff development period of two hours on the fourth Friday of each month as an affirmative action day. Also, one of the three development days preceding the opening of the schools was devoted to affirmative action. The role of the affirmative action office in planning the use of this affirmative action time is minimized, by design, to encourage building principals and their advisory committees to prepare programs based on their specific local needs, which they can present with enthusiasm and which will command the interest and commitment of their staffs. Planning assistance is available to them on request, from the affirmative action office and from the area teacher education centers. Materials and lists of human resources have been made available to them.

3. Community and Environment
A major task of the district is to help the community to become more conscious of institutional racism and to enlist the cooperation, support and involvement of other agencies, organizations and institutions in activities designed to eliminate the problem. The first step toward securing formal community involvement was the appointment of a twenty-three member community advisory committee that has now been enlarged to more than thirty-five members.

Their major activity in conjunction with the Dallas Chamber of Commerce is a symposium on institutional racism. This symposium will involve representatives from all segments in the

city of Dallas. Its aim is to provide a knowledge base which can raise the awareness level of the participants.

What is the result of this program as it relates to discipline?

The General Superintendent, in an interview with the educational writer from the Dallas Times Herald, indicated that the rate for blacks had declined almost to 40 percent. This indicates that we are making progress on alternative approaches to discipline as outlined in the affirmative action program.

Nevertheless, there remains the need to deal with student behavior that threatens to disrupt the learning environment.

Alternative Approaches to Discipline

Demerit System

Demerit points are assessed for various violations according to a published schedule, with specified totals earning various punishments (e.g., detention hall). Sometimes good behavior can reduce demerits.

Restricted Academic Services Rooms

These rooms are designed to allow on-campus suspension. Students remain on the campus, in a location designed for them, with an adult supervisor who oversees their work. The students receive assignments from their teachers and work on those assignments while in the academic services room. Counseling is provided on a regular basis.

School Within a School

Students are assigned to a special instructional room where an interdisciplinary team-teaching setup permits instruction in all subjects to proceed. The misbehaving student works in a simplified setting without the variety and contacts of the normal schedule.

This may be modified to permit the student partial return to normal by allowing him to go to P.E., lunch, etc., as usual, but return to the team-teaching setting for basic instruction.

Counseling Methods

Group and/or individual counseling of both a problem-preventing and problem-solving nature is provided all students. In some circumstances, peer counseling has proved effective.

Withdrawal of Privileges

Participation in a variety of school-associated activities is a privilege. Students may be forbidden to participate in extracurricular activities, clubs, sports, etc. for varying periods.

Parent Conferences

Parent conferences are held with parents of students who seem to be having difficulties. These conferences may be called by the parents, the principal, the teacher or the counselor.

Buddy Systems

The principal may utilize an older or more successful student to serve as a special guide, model, and counselor to a student with a behavior problem. Sometimes the problem student himself is encouraged in his performance by being designated as a "buddy" to some younger student.

Contracts

Many students respond positively by ceasing disruptive behavior as part of a contract negotiated with teachers or administrators.

Adoption by a Teacher

Troublesome students sometimes feel that no one knows or cares about them. A teacher who seems to get on well with the student may "adopt" him as a special concern, getting personally friendly with him, asking him to check in several times daily. This simple device has resolved many "behavior" problems.

Staff-Personnel Committee

The Staff-Personnel Committee meets regularly with the teachers of students who are referred to the Committee in a cooperative effort to identify and solve the students' problems. Teachers, counselors, principals, school nurses, visiting teachers, and school psychologists serve on this committee with varied representation according to the students' and schools' needs.

Working to Make Amends

Defacing or damaging school property is often handled by allowing the student to repair the damage caused, or make some useful work contribution to

school property or operation. Sometimes this is offered as an option to detention.

In-Building Third Party Hearing

In cases where the student and/or parents are not satisfied with the response of a member of the school staff, they may request that another member of the staff hear the case before a decision is made.

Referral for In-District Professional Help

The district provides a variety of professional experts who may be called on by principals--visiting teachers, school psychologists and specialist in learning disabilities through Research and Evaluation Center for Learning (RECL).

Key Link Program

A member of the high school Key Club is assigned as a "peer counselor" to a junior high student who is having difficulties, in an effort to help the younger student find more effective ways to deal with his problems than disruptive behavior.

Referral for Community Professional Help

Principals often recognize that student misbehavior may express basic unmet needs. A variety of community agencies serving youth may be called in by principals: these include Big Brothers, Salesmanship, Boys Camp, Girls Adventure Trails, Child Guidance Clinic, etc.

Student-Determined Punishment

Many students respond positively to involvement in the selection of their own punishment for offenses they have committed.

Assignment to Leadership Position

Principals may elicit positive cooperation from some students by placing them in leadership roles--shop cleanup director, student office assistant, etc.

Home Visits

Visits by members of the school staff to the homes of students who are having problems often result in increased understanding by school staff and parents of the nature of the students' problems and therefore more successful solutions to those problems.

Special Schedule

Making scheduling adjustments for students who seem to need such changes often results in positive changes in the student's behavior as his unique needs are more adequately met.

Student-Adjusted Scheduling

Many students respond favorably to having the responsibility for making and adhering to their own schedules.

Metropolitan Schools

Metropolitan high schools are alternative schools providing flexible scheduling, flexible rates of progress and course offerings at three levels of senior high school work; in addition, there is a new middle school alternative school. Students are referred to the five metropolitan high schools by school principals, by the Office of Student Affairs or by direct application of the student and/or parent as a bona fide dropout. A committee of metro staff screens applicants and assigns them to the most appropriate metro school setting. Then the school staff diagnoses each student's needs and, in concert with the student, agrees on a contract. Each student's contract is different, and many of the instructional activities provide adapted hands-on experiences.

Parent Volunteer Programs

When made aware of problems surfacing in their local school building, parents individually or as members of parent groups often volunteer to assist at school. The presence of parents discourages acts by students which may become discipline problems.

In closing, I would like to quote from a speech made in Atlantic City in 1968 by Muriel Crosby, president-elect of the Association for Supervision and Curriculum Development:

> From the moment of birth to the moment of death, each child looks upon the world through his own unique window. What he sees is determined by many intermeshing forces at work, his own inner resources of mind, spirit, and emotions, the family customs and mores, its languages and values, the physical world of silence and sound, beauty and ugliness, shapes and patterns, heat and cold, and the people who impinge upon his daily life. All of these forces make the child

what he will become. For one child, the view from the window may become distorted early in life. What he sees is unbearable and the window becomes opaque, blocking out a world from which the child, in his vulnerability, must withdraw. For another child, the view from the window presents delightful vistas of discovery ahead. This is the child who becomes a part of his world. In growing toward maturity, he has incorporated the world within himself. The complete fruition of this process has been described by Rilke, who wrote of a friend, "His face is a love letter to all mankind." Only this kind of love letter will overcome today's forces of hate. Only the school which helps its children learn to write this kind of letter will be able to shape a world in which all men find themselves at home.

STAFF, STUDENT AND PARENT TRAINING AS POSITIVE ALTERNATIVES TO STUDENT SUSPENSIONS

Ralph Bailey*

General Goals

The purpose of the Positive Alternatives to Student Suspensions (PASS) Program of the St. Petersburg Schools is to provide a sequence of intervention strategies designed to prevent and/or minimize the frequency of non-productive social behavioral acts of secondary school students in participating schools.

Background

The Pupil Services Demonstration Project, funded under Title III of ESEA, was established to explore alternative approaches for meeting selected critical learner needs of students in Pinellas County, Florida. Available evidence in 1972 indicated that a critical need existed in the area of student behavior problems which were precipitating an increasing number of student suspensions. Visibility of the problem was highlighted by a 200 percent increase in suspensions over the four year period from 1968-69 to 1971-72.

It is difficult to establish the educational and social loss to the students who are suspended from school; however, it is known that some of the most costly consequences of student suspensions are the increased possibility that suspended students may leave school before successfully completing requirements for graduation or may become involved in illegal or immoral behavior.

Need

The staff of the Pupil Services Demonstration Project have defined the problem of unacceptable student behavior, resulting in student suspensions in terms of the need to help students acquire the kinds of social attitudes, values and skills which, in turn, will result in productive social behavior. The strategy selected to satisfy this need has been to develop a program which implements positive approaches for preventing and resolving student behavior problems.

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*Ralph Bailey is with All Children's Hospital and St. Petersburg Schools, Florida.

Objective

The objective upon which the PASS Program was evaluated from 1972-74 follows:

> By April of 1974, students in Positive Alternatives to Student Suspensions schools will exhibit significantly fewer suspensions, proportionally, than will students in comparable control schools. Criterion will be a statistically significant ($p < .05$) difference in the number of students suspended, with the PASS schools having the fewest suspensions. Also, by April of 1974, students in PASS schools will exhibit significantly fewer suspensions, proportionally, during the two years of the PASS program (1972-73, 1973-74) than students in target schools experienced during the base year 1971-72. Criterion will be a statistically significant ($p < .05$) difference in the number of students suspended.

Program Design

Although the initial focus of the PASS program was placed upon developing an alternative for students experiencing a crisis, solution strategies have evolved for both preventive/developmental as well as crisis/remedial interventions. Some of the preventive/developmental activities include "Staff Development for a Humanistic School," "Humanistic Activities in the Regular Classroom," "Basic Encounter for Students," "Basic Encounter for School Personnel," and "Parent Training Groups." The crisis/remedial components include "The Time-Out Room," "A School Survival Course," and "A Home Survival Course." Leadership for implementing these solution strategies is provided by school psychologists, social workers, counselors and time-out room personnel. PASS personnel maintain close working relationships with the administrators for discipline in each school. A brief introduction to the PASS strategies follow.

1. Staff Development for a Humanistic School

The student population in Pinellas County has increased to the extent that most high schools are on double sessions. Also, the explosion of knowledge has pressured schools to significantly expand academic programs. While most system variables have reached new magnitudes, the sense of purpose, feelings of personal worth and opportunities for personal growth experienced by school personnel and students have lagged behind. Many school employees have become

strangers to their co-workers and students. For these staff members, school has become an unhappy place.

Personnel evolve more effective communication systems through participating in non-threatening activities which emphasize positive verbal expressions. These programs are either scheduled as one day workshops or as seminars which continue throughout the school year. Participation is open to all school personnel with the rationale that the cooperation of each staff member is necessary to effectively humanize the school setting. Administrators, teachers, counselors, secretaries, custodians, paraprofessionals and lunchroom personnel, who experience mutual respect and collaborative involvement, can create a humanized, caring school that meets the needs of today's youth.

2. Humanistic Activities in the Regular Classroom

Many teachers have not been provided experiential learning opportunities which focus upon creating environmental situations through which teachers and students get to know and to appreciate each other. Thus, classrooms can be lonely, threatening places for many students. Some students frequently go from day to day without having any personally satisfying experiences with either other students or teachers.

PASS has designed a twelve-week program that helps create a positive environment where students develop a feeling of belonging. One hour each week is set aside for activities that encourage openness, sharing, social awareness and personal growth.

The PASS psychologist and/or social worker frequently initiate these programs in target schools. Also, teachers participating in either the Staff Development for a Humanistic School or Basic Encounter for School Personnel programs are becoming experienced in conducting these activities. PASS personnel have developed a descriptive outline of recommended activities which is available upon request.

3. Basic Encounter for Secondary School Students

A student's high school years may provide the last opportunity to experience participation in a guided group-interaction program with a positive, personal growth orientation. PASS has developed a program to help students explore answers to such questions as: "Who am I," "Where am I going," "How do I effect others?" and "How can I become a more effective human being?"

The program runs twelve weeks and meets once a week. Each session lasts two hours and can be held either during or after school. Developmental group counseling and other applied behavioral science tech-

niques are used. One person talks at a time, everybody listens with no put-downs, are rules to help establish effective levels of communication and to maintain a positive emotional climate.

Students are introduced to the program through classroom visits by the PASS psychologist and social worker. Although participation is voluntary, some students have been encouraged to participate by administrators, deans, counselors, teachers, parents, other students and community agency personnel.

4. Basic Encounter for School Personnel

The Basic Encounter for School Personnel program began at the request of teachers and administrators who expressed a desire to participate in a guided group-interaction program similar to the Basic Encounter Program for Students. They indicated an interest in exploring their attitudes and perceptions about "Who they were," "Where they were going," and "How they could interact more effectively with colleagues and youth." Small group basic encounter activities have provided school personnel with opportunities for exploring these and other topics in personally meaningful ways.

Participants meet once a week for twelve weeks. Each session lasts two hours and is held after school. Values Clarification, Transactional Analysis, and other applied behavioral science techniques and principles are used to provide each participant the opportunity to serve as a unique resource of his own perceptions. The sessions are designed to facilitate positive interaction with an emphasis upon promoting mutual respect and caring. Teachers and administrators also acquire knowledge of strategies for use in their own classrooms and offices to develop a facilitative atmosphere which helps students become more accepting of themselves and others.

5. Parent Training Groups

Most parents desire a good relationship with their children and some achieve it. However, even under the best of circumstances there are times when parents need help in coping with their own children and other youth. PASS has developed a program that fosters open communication, a sharing of concerns, problem solving and an opportunity for parents to re-evaluate their own system of values.

The program utilizes the techniques and principles of Parent Effectiveness Training, Behavior Modification, Transactional Analysis and Values Clarification. The program runs six sessions and each meeting lasts about two hours. Sessions are usually scheduled in the

evening, so both parents can attend. A special effort is made to include the parents of youth participating in the Student's Home Survival Course. Parents are made aware of the program through the P.T.A., school newspaper, mail-outs and word-of-mouth.

6. The Time-Out Room

Many school behavioral problems can be eliminated by effectively intervening before punishment becomes necessary. Some students get into difficulties because schools have not provided them with processes for coping with emotional pressures. These pressures can continue to build, until inappropriate behavior occurs, which leads to punitive responses from administrative personnel. Because punishment may be ineffective and even detrimental, other options have been explored by the Positive Alternatives to Student Suspensions (PASS) Program. One of the sequential intervention strategies implemented by the PASS Program is the Time-Out Room (TOR). In the TOR, students have a chance to talk out problems with a "facilitative listener." The "listener" helps students forecast consequences, explore alternatives, make decisions and develop specific plans which frequently lead to more productive behavior in the students' regular classes. Students can either request this service, or they can be sent by school personnel. Deans, teachers and counselors are encouraged to be alert to potential problems experienced by students, in order that early intervention in the TOR may prevent or minimize the seriousness of the potential problems.

Although not intended as a punishment room, the TOR provides an alternative educational environment for temporary placement when appropriate. The length of stay in the room is determined by the individual circumstances of each case. However, prolonged isolation and segregation from the mainstream is detrimental. Therefore, an emphasis is placed upon returning students to their regular classes as quickly as they can develop a plan to resolve their difficulties. Administrators, counselors and teachers are informed of the progress of students while in the TOR.

7. A Student's School Survival Course

The "School Survival Course" is designed for students who have experienced frequent behavioral problems at school. School can be an unhappy place for students who experience feelings of frustration and inadequacy. These students with negative self perceptions come to the attention of educators when they either become active behavior problems, or withdraw into themselves. Students adopting either response pattern frequently drop-out of school psychologically and eventually

drop-out statistically. These non-productive behavior patterns are learned responses that can be changed through positive learning experiences.

PASS has developed a twelve-week program to teach students that it is possible to survive in school and to receive positive feedback from teachers and other students. The program requires a skilled leader and a time commitment of one hour weekly for each group. Students participating in this program have experienced a decrease in teacher referrals for misbehavior and a decrease in suspensions from school.

8. A Student's Home Survival Course

This course evolved as a spin-off of the Student's School Survival Course because many students who experience problems at school, also have difficulties in their relationships at home.

The course uses the techniques and principles of Reality Therapy, Transactional Analysis and Rational Behavior Therapy. The course is twelve weeks long and is offered in the school, during or after school, and can be presented individually or in small groups.

The approach is positive. The student is helped to become aware of his own strengths and the degree to which he can control his own destiny. Specifically, students are assisted in exploring positive alternatives for resolving problems which they experience at home. Although the course can be beneficial without parental awareness, it is more effective when parents participate in a parent training group or receive counseling from PASS personnel.

Evidence of Effectiveness

The success/effectiveness of the PASS component has been documented by quantitative statistical procedures implemented in evaluating the objective given at the beginning of this article. The design involved a survey of the three PASS schools and three comparison schools (selected by geographical proximity to PASS schools) to determine if the proportion of suspensions between PASS and non-PASS schools were statistically significantly different. The survey was based on school system records of reported suspensions. A binomial test for differences in proportionality was applied to test for statistical significance of observed differences in proportions of suspensions.

The findings presented in Tables 1 and 2 demonstrate that PASS schools had significantly fewer suspensions than their comparison schools, during both years in which the PASS program has been operating. In the target high school, a statistically significant reduction in suspensions occurred when comparing either

the 1972-73 results or the 1973-74 results with the base year 1971-72. This data obtains additional significance when observing that the comparison high schools reported gains in suspensions for both 1972-73 and 1973-74 when compared to the base year of 1971-72.

An increase in suspensions for the combined target junior high schools was reported for 1972-73 when compared with the base year 1971-72. However, this increase was significantly less than the increase occurring in the comparison junior high schools. In addition, a statistically significant reduction in suspensions was reported for the target junior high schools for 1973-74 when compared to the base year 1971-72.

TABLE 1

Suspension Data for Pinellas County 1971-73

Group	Year	Enrollment	No. of Suspen.	Propor. of Suspen. Per 100 Students	Proportionality Change (z-scores) From 71-72 to 72-73
Target High School	71-72	2,301	662	28.77	-6.07**
	72-73	1,545	402	20.67	
Comparison High Schools	71-72	2,945	1,766	59.97	+0.83 n.s
	72-73	2,821	1,722	61.04	
Target Jr. High Schools	71-72	2,186	778	35.59	.354 n.s
	72-73	2,297	855	37.22	
Comparison Jr. High Schools	71-72	1,647	597	36.25	+9.29**
	72-73	1,869	969	51.85	
Total System Secondary Schools	71-72	41,129	11,050	26.87	+7.02**
	72-73	41,779	12,140	29.06	

* = $p<.05$
** = $p<.01$
n.s. = not significant in predicted direction

TABLE 2

Suspension Data for Pinellas County 1971-72 and 1973-74.

Group	Year	Enrollment	No. of Suspen.	Propor. of Suspen. Per 100 Students	Proportionality Change (z-scores) From 71-72 to 73-74
Target High School	71-72	2,301	662	28.77	-5.65**
	73-74	2,521	547.2[1]	21.70	
Comparison High Schools (2)	71-72	2,945	1,766	59.95	+2.69**
	73-74	4,452	2,808	63.07	
Target Jr. High Schools	71-72	2,186	778	35.59	-6.08**
	73-74	1,841	490.8	26.66	
Comparison Jr. High Schools[2]	71-72	1,647	597	36.25	+2.31**
	73-74	989	367.2	40.89	

* = $p<.05$
** = $p<.01$
n.s.= not significant in predicted direction

[1]Data for 1973-74 has been adjusted by multiplying intermediate total (April, 1974) by 1.2 for end of year prediction.

[2]One of the comparison junior high schools was closed for the 1973-74 school year.

Conclusions

Examination of the suspension data for secondary schools from September 1971, to June 1974, indicates that the schools participating in the ESEA Title III Pupil Services PASS program have experienced a decline in suspensions. This reduction in suspensions is taken as evidence that the use of positive alternatives for preventing and resolving student behavior problems has assisted target school students develop values and attitudes which lead to more productive behavior.

Follow-Up Results

As a result of the success/effectiveness of the PASS program in pilot schools, it has been expanded to all twelve high schools in the district. During the school years from 1972-73 to 1975-76, student suspensions in Pinellas County have significantly declined, while suspensions in many other districts have increased. The records reveal that suspensions have decreased from a high of 12,140 suspensions for 1972-73, which brought recognition to Pinellas County as one of the top fifteen districts in the nation in number of suspensions, to 9,101 suspensions in 1973-74, 7,046 in 1974-75 and a level of 5,754 for 1975-76. Currently, the records for the first semester of the 1976-77 school year report 1,880 suspensions which represents a 33 percent reduction from the first semester of the 1976-76 school year.

Although other factors may have contributed to this decrease in student suspensions, the expansion of the Time Out Room (TOR) program, along with other Positive Alternatives to Student Suspensions (PASS) strategies have had significant impact.

Staff Competencies and Experiences

The psychologists, social workers and counselors need to have been professionally prepared in the applied behavioral sciences and awarded a masters degree in their respective fields from an accredited graduate school program. They need to have experienced workshops in Human Relations Laboratory Training, Reality Therapy, Values Clarification, Effectiveness Training Skills and Transactional Analysis. They must be proficient in planning and implementing staff development programs, as well as providing direct services for students. They must be skilled group leaders able to successfully conduct humanistic activities, survival courses and encounter groups. In addition to implementing most of the sequence of preventive/developmental and crisis/remedial strategies previously discussed, these professionals also provide training and consultation for the Time Out Room workers.

The Time Out Room worker should have a minimum of a bachelor's degree in one of the applied behavioral sciences with either related experience or recent training in establishing helping relationships with youth. The Time Out Room worker is the facilitative listener assigned full time to the Time Out Room to help students forecast consequences, explore alternatives, make decisions and develop specific plans which frequently lead to more productive behavior in the students' regular classes.

A team approach and close working relations need to be established among itinerant psychologists and social workers and school based teachers, TOR workers, counselors, deans and administrators. Rather than working only with problem students, the PASS program attempts to facilitate the development of a humanistic and cooperative climate throughout the school.

Cost Information

The PASS Program was developed and field tested with ESEA Title III funds; it has been expanded and continued with state and local funds, along with support from ESEA Title IV B funds, which are available for counseling and guidance programs. Program adopters/adapters have used ESEA Title IV C funds, ESAA funds, CETA funds and LEAA funds in addition to their state and local funds.

Since use of additional equipment and materials is minimal, per learner start-up costs for a three year program would be approximately $0.40. Operational costs include the salaries of a school psychologist and a social worker for each five schools and a Time Out Room worker for each school. These per learner monthly operational costs will vary from $1.20 to $2.00 depending on whether or not a paraprofessional is used in Time Out Rooms.

AN ORGANIZATIONAL APPROACH TO REDUCING SUSPENSIONS: THE INSTITUTION OF A SUSPENSION REPORTING SYSTEM

Percy Clark, Jr*

Suspension is the public school system's late model hickory stick. Since corporal punishment has gone out of public favor, suspension, a "more humane" form of discipline, has become the most common method of dealing with such serious offenses as assault, destruction, theft, breaking rules, disrupting class, smoking, fighting, defiance, profanity, truancy or being late to class.

Unlike the hickory stick, however, no one is quite sure what suspension is supposed to accomplish. In the good old days, when teachers gave students a few licks with the hickory stick, they could rest assured that they wouldn't misbehave again for a while, at least until the pain had worn off a little. Besides punishment, the hickory stick was at least a temporary deterrent to future misbehavior. This is not true of suspension: it is fairly common for students to be suspended again the day they return from a suspension. In some schools, 50 percent of the suspended students have been suspended more than once. Nor is suspension consistently viewed as punishment: many students, being sent home for a few days on suspension, talk about the neat "vacation" they have had.

Further, suspension seems not to be rehabilitative. Gerald R. Bocciardi, of the East Side Union High School District in San Jose, California, attempted to prove otherwise: he compared the numbers of students suspended once to those suspended twice, three times, four times, and five times or more. Because the number suspended was smaller at each succeeding level, Bociardi concluded that suspension was rehabilitating the students. However he failed to notice that once suspended, a student's chance of being suspended again was eight times greater than that of a student who had never been suspended. In the Kalamazoo Public Schools this difference also exists: once suspended, a student is from two to three times more apt to be

*Percy Clark, Jr. is the Director of Student Services, Kalamazoo Public Schools, Michigan.

suspended than classmates who have never been suspended. This would seem to indicate that suspension does not function effectively as a method of rehabilitation.

So what does suspension accomplish? On the positive side, it can remove a student from a conflict situation: when personalities are clashing, tempers are flaring, tension and the threat of violence are in the air, it often helps to get one or all involved persons away from the scene until things cool down a little. Or when a student, in an attempt to stir up a little excitement, is getting other students involved in behavior inappropriate for the school situation, the majority of students in the school might benefit if such a student is removed from the building temporarily.

This is not, however, the primary intent of the Kalamazoo Public Schools' discipline policy as it was written or as it is used. The primary purpose of suspensions in the Kalamazoo Public Schools, both in theory and in function, is to teach the students that if they do not meet the "proper" standards of behavior, they cannot attend the public schools. For relatively minor infractions, the exclusion from school is measured in hours, days, or weeks; if the violation is more serious, or repeated often enough, the exclusion may become permanent. There are many reasons given for the correctness of such a policy: (1) learning cannot take place in a disorderly environment, therefore every source of disruption must be removed; (2) these standards of behavior must be learned if a student is to go on to function effectively in society, and school is the ideal place to learn them and practice them; and (3) a major goal of the public schools, besides that of perpetuating academic knowledge, is that of perpetuating the standards of the society, without which the society cannot survive. Although it all sounds good enough in theory, in practice the function of most discipline policies is to exclude certain people from the free education offered by the public schools.

In combating the counterproductive factors which develop from suspension, the Kalamazoo Public Schools developed a consistent suspension reporting system in the Fall of 1972. The system to monitor suspensions was deemed necessary in that (1) suspensions had drastically increased in number during the early phases of court-ordered desegregation (see Appendix A), (2) copies of letters sent to parents of suspended students lacked detail and did not lend themselves to summary reporting, and (3) the administration was pressured from outside interest groups to better define the nature of suspensions. In order to meet the system-wide need for monitoring suspensions,

the Directors of Research and Development and Student Services jointly produced a form that would allow building personnel to record the detail of each suspension (see Appendix B). The procedures for the use of the form were established by the Director of Student Services and communicated to appropriate building personnel. Computer programs were developed by the Director of Research and Development to produce a variety of reports (see Appendix C). The reports were to be furnished to building personnel on a regular basis for their inspection. Personnel in Student Services have used the data (1) to program for alternatives to suspensions, (2) to define students with suspension history who need individual attention, and (3) to highlight specific categories of suspension for special treatment.

The total efforts of Kalamazoo Public School personnel to meaningfully reduce suspensions has been successful (see Appendix D). The following table of frequency and percentage of suspensions during the school years from 1973 through 1977 for the months of September through January would indicate the trend in reduced suspensions is significant.

FREQUENCY AND PERCENT SUSPENSIONS
FROM 1973 THROUGH 1977 FOR THE MONTHS
OF SEPTEMBER THROUGH JANUARY

	SEPT.	OCT.	NOV.	DEC.	JAN.	TOTAL
1973-74						
Frequency	283	534	280	276	342	1715
Percent	16.5	31.1	16.3	16.1	20.0	100.0
1974-75						
Frequency	100	247	277	200	178	1002
Percent	10.0	24.7	27.6	20.0	17.7	100.0
1975-76						
Frequency	186	319	247	172	186	1110
Percent	16.7	28.7	22.3	15.5	16.8	100.0
1976-77						
Frequency	68	153	163	136	150	670
Percent	10.2	22.8	24.3	20.3	22.4	100.0

This report should serve as a historical prospectus of the suspension picture in the Kalamazoo Public Schools and give the reader an update on progress to meaningfully reduce suspensions.

APPENDIX A

SUSPENSIONS PER SCHOOL YEAR
1966-67 through 1975-76 School Years

School Year	Number of Suspensions
1966-67	620
1967-68	844
1968-69	956
1969-70	1266
1970-71	2716
1971-72	3441
1972-73	3638
1973-74	3311
1974-75	2095
1975-76	2029

APPENDIX B

SUSPENSION REPORT
KALAMAZOO PUBLIC SCHOOLS

DATE ___/___/___
MON DAY YR

STUDENT SUSPENDED

STUDENT NAME : _____

BUILDING : _____

GRADE : _____

STUDENT NUMBER _____

SEX: ___ MALE ___ FEMALE

RACE

___ American Indian ___ Spanish Surname
___ Black ___ White
___ Oriental ___ Other _____

TIME LOST DUE TO SUSPENSION

___ Less Than a Day
___ Day(s)
___ Other _____

LENGTH OF SUSPENSION

___ Less Than a Day
___ Day(s)
___ Other _____

PENDING

___ Parent Conference
___ Court Action
___ Other _____

AREA WHERE INCIDENT OCCURRED

___ Classroom
___ Hallway
___ Cafeteria
___ Bathroom
___ Gym
___ Library
___ Area surrounding building
___ Other _____

CONTACT PRIOR TO SUSPENSION

___ Counselor
___ Parent or Guardian
___ Student Services
___ Community Agency
___ Assistant Principal
___ Other _____

REASON(S) FOR SUSPENSION

CATEGORY I

___ Fighting
___ Threats
___ Defiance
___ Profanity
___ Degrading words
___ Smoking
___ Failure to report to class
___ Breaking of school rules
1. _____
2. _____
3. _____
___ Other _____

CATEGORY II

___ Extortion
___ Assault
___ Liquor
___ Drugs
___ Destruction of school property
___ Possession of weapon
___ Arson
___ Theft
___ Bomb threat/false fire alarm
___ Urging others to break rules
___ Violating State Riot Act
___ Repeated breaking of school rules
1. _____
2. _____
3. _____
___ Other _____

SOURCE(S) OF REFERRAL

Name(s) _____

COMMENTS/RECOMMENDATIONS:

Signature _____ Position/Title _____

Return to: Dr. Chuck Townsend, Director of Research and Development

G-91

APPENDIX C

Abstracted from:

System Summary Report — Suspension Report, Kalamazoo Public Schools — Updated: Feb. 14, 1977, Department of Research and Development and Department of Student Services

	S U S P E N S I O N S											Total Repeat	Total Number Suspensions
Students with:	1	2	3	4	5	6	7	8	9	10	>10		
Frequency :	392	77	24	10	1	0	1	0	0	0	0	505	670
Percentage:	77.62	15.25	4.75	1.98	.20	.00	.20	.00	.00	.00	.00	100.00	

Sex	Male	Female	Total	Blank
Frequency :	512	158	670	0
Percentage:	76.42	23.58	100.00	

Race	American Indian	Black	Oriental	Spanish Surname	White	Other	Total	Blank
Frequency :	1	323	1	19	326	0	670	0
Percentage:	.15	48.21	.15	2.84	48.66	.00	100.00	

Grade	Lower Elem	Upper Elem	7	8	9	10	11	12	Total	Blank
Frequency :	3	23	74	137	154	128	106	45	670	0
Percentage:	.45	3.43	11.04	20.45	22.99	19.10	15.82	6.72	100.00	

Category 1 Suspensions Total = 609 Blank = 47

Code	Descriptor	Freq	%
1	Fighting	159	26.11
2	Threats	3	.49
3	Defiance	71	11.66
4	Profanity	38	6.24
5	Degrading Words	4	.66
6	Smoking	97	15.93
7	Failure to Report to Class	37	6.08
8	Breaking Rules	85	13.96
9	Fighting & Breaking Rules	3	.49
10	Defiance & Profanity	19	3.12
11	Profanity & Breaking Rules	4	.66
12	Defiance & Breaking Rules	17	2.79
13	Smoking & Profanity	1	.16
14	Fighting & Profanity	2	.33
15	Threats & Breaking Rules	1	.16
17	Defiance, Profanity & Breaking Rules	1	.16
19	Defiance & Smoking	3	.49
20	Defiance & Truancy	1	.16
22	Smoking & Breaking Rules	4	.66
24	Defiance, Truancy, & Breaking Rules	1	.16
25	Defiance, Profanity, & Degrading Words	3	.49
28	Profanity & Degrading Words	2	.33
29	Defiance & Degrading Words	3	.49
30	Fighting & Defiance	3	.49
31	Threats & Defiance	4	.66

Category 2 Suspensions Total = 36 Blank = 620

Code	Descriptor	Freq	%
1	Extortion	3	8.33
2	Assault	6	16.67
4	Drugs	5	13.89
5	Destruction of School Property	2	5.56
8	Theft	8	22.22
9	Bomb Threat & False Fire Alarm	2	5.56
12	Repeated Breaking of Rules	4	11.11
13	Assault & Repeated Breaking Rules	1	2.78
17	Possession of Firecrackers	2	5.56
19	Possession of Stolen Property	2	5.56
25	False Fire Alarm	1	2.78

Area of Occurance Total = 650 Blank = 20

Code	Descriptor	Freq	%
1	Classroom	276	42.46
2	Hallway	108	16.62
3	Cafeteria	21	3.23
4	Bathroom	75	11.54
5	Gym	32	4.92
6	Library	5	.77
7	Area Around Building	53	8.15
8	Office & Classroom	1	.15
9	Bus	13	2.00
11	Hallway & Area Aroun	5	.77
12	Classroom & Hallway	25	3.85
14	Classroom & Bathroom	1	.15
15	Hallway & Bathroom	2	.31
17	Classroom & Study Ha	1	.15
2?	On the way home	3	.46
28	Office	5	.77
30	Classroom, Hall, & G	2	.31
31	Classroom, Hall, & B	1	.15
33	Another School	5	.77
38	Classroom & Area Aro	4	.62
40	Commons	1	.15
46	Steps	4	.62
48	Classroom, hallway,	5	.77
51	Attendance Office	1	.15
53	Area Around Classroo	1	.15

APPENDIX D

A COMPARISON OF SUSPENSIONS
FOR THE SCHOOL YEARS
1971-72, 1972-73, 1973-74, 1974-75 & 1975-76

SCHOOL YEAR	CENTRAL	NORRIX	HILLSIDE	MILWOOD	NORTHEASTERN	OAKWOOD	SOUTH	TOTAL
71-72	813	755	356	573	306	200	438	3441
72-73	751	1069	405	262	456	468	227	3638
73-74	691	639	394	266	281	772	228	3271
74-75	487	522	149	284	168	369	92	2071
75-76	338	369	357	225	259	454	27	2029

ASSESSING DISCIPLINE PRACTICES AND PERCEPTIONS

Vivian Shaner*

Introduction

Many of us who work in schools have ideas about the ways discipline is administered in our buildings and classrooms. This paper will attempt to explore those ideas for validity and expand one's perspective of the reality of disproportionate discipline. The provisions of state and federal statutes, including their similarities and differences will be discussed. I will also examine the possible legal consequences of disproportionate discipline practices, as well as detailing the process of self-evaluation of one's practices and policies.

The following statements reflect some beliefs about discipline practices in the state of Michigan. Consider their validity.

		True	False
1.	Suspension is used relatively infrequently as a disciplinary tool in Michigan School Districts.	☐	☐
2.	Within school districts a substantial variation in suspension rates exists from building to building.	☐	☐
3.	Suspensions are utilized primarily for violent or dangerous offenses.	☐	☐
4.	School districts may use an alternative to corporal punishment depending upon the sex of the student affected.	☐	☐
5.	Self-evaluation of a district's policies and practices in the area of discipline is mandated by Title IX.	☐	☐

Consider the first three statements which deal with the use of suspension. Data gathered by the Office for Civil Rights of the Department of Health, Education and Welfare show that 6 percent, or one of

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*Vivian Shaner is a Field Services Specialist for the Program for Educational Opportunity, University of Michigan, Ann Arbor.

every sixteen students in the fifty-one Michigan school districts, were suspended during the 1972-73 school year. The proportion of secondary students was probably 11 percent or higher.[1] In addition, within a school district it may not be uncommon for one secondary building to suspend three times as many students per 100 enrolled than another secondary building.[2] Contrary to what many of us might believe, suspensions continue to be utilized, not for violent or dangerous behavior, but, primarily, for offenses such as "truancy, smoking, dress code violations and various offenses against authority." Two-thirds of all suspensions fall in these types of categories.[3]

Statement number four is clearly false. Such treatment is prohibited under the Title IX regulations. Further, under Title IX of the Education Amendments of 1972, a school district is mandated to evaluate its practices and policies relating to disciplinary actions. While Title IX mandates this self evaluation on the basis of sex, districts are encouraged to continue scrutinizing their disciplinary actions with regard to possible discrimination against minorities. We will discuss that process later on.

Provisions of the Laws

At this point, I want to discuss the provisions of some specific laws which apply to disproportionate disciplinary practices. The chart on the following page will assist us in comparing the similarities and differences.

The Fourteenth Amendment and the law which provides the avenue for redress are broad in their coverage. On their face, they apply to all persons in the United States. Title VI is somewhat narrower in that it prohibits discrimination in federally assisted programs on the basis of race, color or national origin. This act excludes employment. Title IX's coverage is narrower still. It prohibits discrimination on the basis of sex only, in any federally assisted educational program or activity, including employment. It is important to understand that if only one program or activity in an agency receives federal financial assistance, that agency is bound by Title VI and Title IX. For example, if a district receives financial assistance only with its lunch program, all programs and activities in that district are obligated to comply with the federal laws.

There are many examples of disproportionate discipline which might exist in a school district and which would be unlawful under the above laws. Suspension rates which demonstrate disproportionality with regard to race or sex should be examined closely for possible discrimination. If there is a disproportionate

	Amendment XIV	Deprivation of Rights	Title VI	Title IX
Source	The United States Constitution	Federal Law, enacted 1871	1964 Civil Rights Act	Education Amendments, 1972
Provisions	1. No laws may be made or enforced which abridge privileges of U.S. citizens 2. No deprivation of life, liberty or property without due process of the law.	Any person under the jurisdiction of the United States may file suit for redress of grievances under the 14th Amendment.	On the basis of race, color or national origin no person may be discriminated against under any program or activity receiving Federal financial assistance.	On the basis of sex no person may be discriminated against in any educational program or activity receiving Federal financial assistance.

number of males referred for disciplinary action, there is cause for investigation. Rules which impact more heavily on one group than another would be considered a violation of the law. A grooming rule which is enforceable against only one race or minority group is an example. I will discuss the process of evaluating these rules and procedures later.

Legal Consequences

Before discussing the self-evaluation process, I want to outline the possible legal consequences of disproportionality. There are basically two ways in which a district might be investigated for violations. An individual who feels that he/she has a grievance against the schools may file a formal complaint via the grievance procedures set up by the district, or the complainant may lodge a complaint with the Office for Civil Rights (OCR). OCR will investigate a complaint filed with them or the Office may do an on-site investigation as part of its process of spot checking school districts.

Under the complaint process, OCR is mandated to complete all administrative procedures within 220 days after a complete complaint has been filed. A complaint is complete if it includes the following information:

- name and address of the person(s) or group filing the complaint
- who (what person or group) has suffered discrimination
- their names and addresses if there are three or fewer victims of discrimination
- names and address of the school district or other institution charged with discrimination
- when the discrimination occurred and
- a description of the discriminatory act(s).[4]

An investigation by the Office for Civil Rights is conducted to determine if a violation has occurred. If it has, the offending district is obligated to correct the violation. Failure to do so can result in the withdrawal of all Federal financial assistance from that district. In the guidelines which OCR must use is a special requirement to utilize negotiation to correct a violation. Withdrawal of Federal funds is th sanction used if the parties fail to negotiate a settlement.

A complainant may have another legal recourse against an offending district: the civil suit. A civil suit

may be brought in Federal court simultaneously with a complaint lodged via a grievance procedure or the Office for Civil Rights; or a suit may be filed independently. Individual school officials are liable in these suits if damages are awarded. Further, if the plaintiff wins the suit, the school board must pay his/her attorney's fees.

In short, an individual or group may

1) file a grievance with their district,

2) file a complaint with the Office for Civil Rights after exhausting other administrative remedies; or

3) file a civil suit.

There are recourses for the aggrieved and sanctions against those agencies who continue to discriminate.

Evaluating Policies and Practices[5]

Uncovering possible discrimination in a district's disciplinary practices and policies begins with the self-evaluation process. Title IX regulations require local districts to conduct a self-evaluation. It would be expedient for districts to combine the evaluation of Title IX related policies with a general assessment of discipline rules in the district.

In conducting a self-evaluation of disciplinary policies and practices, it is important to examine all sources of behavioral rules. The three major sources are:

1) district-wide discipline policies,

2) individual building rules and

3) classroom rules.

Individual building and classroom rules should be consistent with district-wide policy pertaining to conduct. "There may also be some specific rules or standards governing some aspect of student participation or behavior in activities that may be operating in a particular area that must also be examined." The overall purpose of examining all these rules and policies is to determine if any have a disproportionate effect or application upon one sex, race or minority group.

Three forms of policy and practice analysis are necessary in conducting a self-evaluation:

content analysis

effects analysis

application analysis.

Content analysis is the simplest form. It involves the examining of all policies relating to discipline to determine whether they contradict the law. The central question one would ask is, "Is this policy inconsistent with statutory or case law or otherwise discriminatory on its face?

The second form of analysis is that which examines the effect of a policy. A policy may not be discriminatory on its face; it may even appear to be neutral. It may, however, have the operating effect of discriminating against a particular group. For example, a policy may state that a student found guilty of a particular offense may elect to be subjected either to corporal punishment or to after-school detention In examining the data on corporal punishment and detention, it may become evident that males opt for corporal punishment, while females select detention. There is an indication, then, that the policy has a disproportionate effect on males requiring further investigation. This example illustrates that effects analysis requires an examination of data, data that must be gathered to ensure a thorough self-evaluation.

The last type of analysis focuses on the way in which a policy is administered. A policy which does not appear to be discriminatory may be applied in a biased manner. Application analysis requires a more complex examination of large quantities of data to determine if otherwise neutral policies are being applied discriminatorily. It is necessary, therefore, for districts to collect and analyze data which has not been examined on a routine basis. The major difficulty with this type of analysis in the area of discipline is that it may uncover only suspected patterns of discrimination requiring a more in-depth look at the entire system of disciplinary practices, to determine if they result from illegal discrimination.

The key to a thorough self-evaluation of disciplinary policies and practices is the gathering of data. The kinds of data which would be useful include:

1) discipline actions by sex, race, national origin;

2) referrals by teachers/staff by sex, race, national origin;

3) discipline action referrals by category of offense and by sex, race, national origin;

4) severity of action by offense and by sex, race, national origin e.g. number of swats, days of suspension.

If this process is undertaken in a systematic and thorough manner, a district will be able to determine whether its disciplinary practices and policies have a disproportionate impact on any group. Any discriminatory actions which are uncovered may then be remedied by whatever steps are necessary.

The basic objective of discovering and correcting disproportionate disciplinary practices is to ensure fairness in dealing with students. And that, after all, is all they ask.

Notes

[1]Charles Vergon and Junious Williams, "School Suspension Practices in Michigan: A Preliminary Accounting" (The text of this article appears in full in this volume).

[2]Ibid.

[3]Project for the Fair Administration of Student Discipline, New Visions 1 (Winter 1976): 1.

[4]Project on Equal Education Rights, Peer Perspective 2 (November 1976): 1.

[5]This section of this paper is adapted from a workshop conducted by Junious Williams on "Evaluating Policies and Practices of Treatment of Students under Title IX."

A COUNSELING ALTERNATIVE TO SUSPENSION: SCHOOL YOUTH ADVOCACY

Paul Bader*

School Youth Advocacy was designed to deal with institutionalized youth who are returning to school in their home communities; pre-delinquent or delinquent youth; youth who exert strong positive or negative influence on other youth and youth who will benefit from learning appropriate problem solving techniques.

The major purpose of the project was to establish a model program which would: (1) assist youth who have been institutionalized in reintegrating into community schools; (2) provide public schools with a program which would serve as an alternative to suspension, expulsion and possible institutionalization of youth with acting out behavior; and (3) create educational environments which foster the development of mature, concerned and responsible citizens.

The goals of School Youth Advocacy are:

For the students:

(1) Improved attitude toward himself or herself
(2) Improved attitude toward others
(3) Improved attitude toward school
(4) Improved academic achievement

For the teacher:

Teachers will develop a more positive attitude toward the student who is experiencing difficulty in the school setting.

School Youth Advocacy requires daily sixty minute group meetings of the target students under the direction of a trained professional staff member of the school. The process utilized is a well tested and researched methodology developed to change peer group cultures. It is a methodology specifically designed

*Paul Bader is with the Youth Advocacy Program of the Department of Social Services, Michigan Department of Social Services.

for adolescents. Guided Group Interaction is a dynamic, short-term group process which is not to be equated with group counseling, group therapy, encounter groups or sensitivity groups. It utilizes the dynamics and strengths of the existing peer group culture for the purpose of modifying the roles, norms, values and attitudes that are counter-productive, while strengthening those which are conducive to the students' social and academic development. Guided Group Interaction views the peer group as a given human resource with potential energy to be tapped and utilized, not suppressed. Through the process of Guided Group Interaction, the group can explore alternative ways of perceiving the school environment and behaving within it.

Project evaluation has been conducted for the past three years by a team of evaluators from the Lansing Public Schools, Evaluation Services Office under contract with the Michigan Department of Social Services. Comprehensive quarterly reports, as well as annual reports, have been furnished to the project administration, the Michigan Department of Education, as well as the Michigan Department of Social Services.

In addition to the ambitious evaluation component, the project has also undergone a rigorous program audit by Educational Turnkey Systems of Washington, D.C., also under contract with the Department of Social Services. This past July, the project was validated by the Michigan Department of Education utilizing an external validator appointed by the Department of Education.

Over the 3½ year life of the project, S.Y.A. has demonstrated that it can serve as an alternative to suspension (in one site, a 70% reduction in suspensions was reported last year); that it can serve as an alternative to institutionalization (several youngsters were diverted from institutional placement because of the existence of S.Y.A.); that it can reduce referrals to the office for disciplinary reasons and that it can effectively improve students attitudes toward themselves and toward school.

It has been demonstrated rather dramatically that S.Y.A. is cost effective. Perhaps a few statistics will suffice to support this statement. By its third year of operation, S.Y.A. costs are reduced to approximately $100 per student per year. When that figure is compared to the following figures, S.Y.A. certainly seems to be an effective alternative:

- Average education costs per pupil in Michigan $1,200.00
- Average per pupil costs of special education in Michigan $5,023 - M.R.
- Michigan Department of Social Services costs for institutional care for delinquents $18,200/yr.

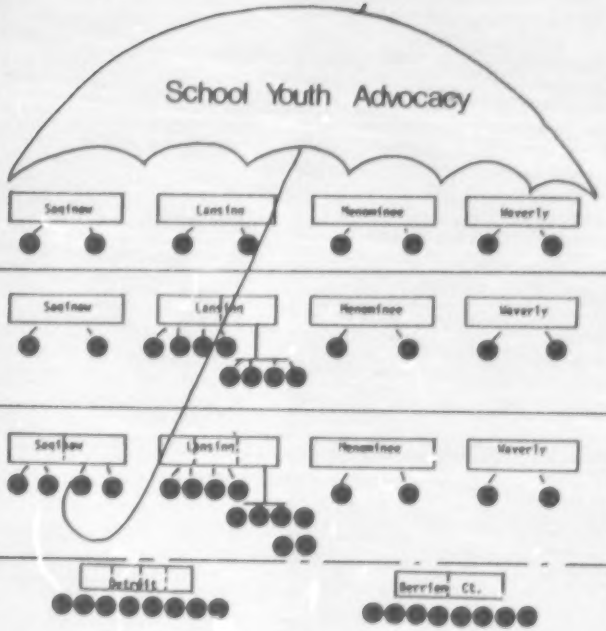
.Mental health residential treatment $23,344/yr.

Finally, a word about the acceptance of School Youth Advocacy in Michigan. The following chart shows the growth of S.Y.A. over its 3½ year life time. Presently, all four of the original districts have fully turnkeyed the project with local funds. In addition, two of the four districts, (Lansing and Saginaw) have financed major expansions of the program with local funding.

The original S.Y.A. project was funded by E.S.E.A. Title IV-C funds. The two new adoptions of S.Y.A. by the Detroit Public Schools and by the Benton Harbor and Niles Schools are funded with grants from L.E.A.A. through the State Office of Criminal Justice.

The Michigan Department of Social Services is currently promoting the adoption and replication of the S.Y.A. model through the provision of assistance and consultation in grant development, seeking appropriate funding sources and technical information on the installation of an S.Y.A. program. Interested school representatives should contact:

Mr. Paul Bader, Project Director
School Youth Advocacy
Michigan Department of Social Services
300 S. Capitol Avenue
Lansing, Michigan 48926



Growth History

1974-75

Original configuration
100% of federal funding.

1975-76

funding: 50% federal
50% Local
For original model. Lansing
expansion all local funding.

1976-77

100% Local funding
Both Lansing and Saginaw systems
now have a full time administrative
staff person coordinating program
expansion.

New programs now funded
by Office of Criminal Justice (LEAA)
90% federal 10% local.

(November 15, 1976)

PROJECT EARN AND LEARN: A COMMUNITY INVOLVEMENT APPROACH TO IMPROVING STUDENT BEHAVIOR

Alexander G. Macnab*

General Goals

Project Earn and Learn is a year-round counseling program designed to help redirect students with school adjustment problems. The program was founded by the Evanston, Illinois, elementary and high school districts and the Evanston Mental Health Board; it receives major support from the Evanston business and civic communities.

Participants in the program receive counseling coupled with a "job." They may also participate in cultural and recreational events, and a summer retreat designed to reinforce progress toward the child's individual performance objectives.

All participants remain in the normal public school setting, attending classes and activities with their peers. For graduating eighth garders, the program provides a comprehensive summer transition program to ease adjustment to high school.

Origin

Many studies of children who become delinquent indicate that the child's problems begin early, generally with a poor school adjustment. Truancy and school behavior problems are universally recognized as accurate indicators of potential future delinquent behavior.

The Evanston, Illinois Mental Health Society Committee on Service to Emotionally Disturbed Elementary School Children reported in June 1972 that there are several children each year who have highly predictable futures. "They will remain or become academic failures, they will remain or become more disturbed," the report said, and "they will become early high school drop-outs."

Such children were characterized by the report as those with problems that had been diagnosed in first and second grade, including hyperactivity, conflict with peers, avoidance reactions, fearfulness and academic failure. As the children grow older, their problems do not seem to abate even with traditional social work services, including counseling, academic

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tutoring and special consultation with teachers. As these children enter adolescence, the report says: "The problems most consistently noted in tnis group are: physical abuse of others; difficulty in concentrating, listening, attending to task; frequent absences, truancy, tardiness; excessive withdrawal and depression; repeated conflict with peers, school and community; under-achievement in relation to IQ; disturbed parent-child relationships and disrupted family situations." The report concludes that:

> For many children this pattern could be arrested and reversed. However, at this stage in their lives a one-dimensional approach is likely to make little difference. An integrated, or milieu approach is required to effect significant change.

For a child with school adjustment problems in the Evanston Public Schools, the problem is intensified by a school system that has traditionally stressed academic excellence and achievement. For the college-bound child, the schools are among the best in the nation. However, for the child who does not achieve well, is truant, or presents behavior problems that prevent him from participation in the traditional educational process, the problem is acute. In Evanston, the problem is even more acute than it would be in most other school systems. The town still maintains two distinct school districts which serve the same population. The break in the districts is at the ninth grade level, at perhaps the worst possible time in a child's life for any unnecessary confusion. The existence of dual districts was common in Illinois in the last century, but has gradually died through consolidation. In Evanston, there have been no serious moves to combine the districts in recent memory. As a result, there are few examples of cooperative educational efforts in the city. This alone makes the project very unusual.

Project Earn and Learn has already shown itself effective in helping to redirect students with severe school adjustment problems, including those with poor academic, behavior and attendance patterns that prevent them from enjoying a successful school experience.

In 1974, the Evanston Police Department reported contact with 2,356 juveniles. More than half of these were treated as "station adjustments." There were 292 juveniles referred to the Family Court of Cook County and an additional fifty boys and girls were already on probation or parole and were referred to their court probation or parole officer. The high school recently reported more than 200 dropouts.

The population of the city is just over 81,000, with approximately 8,000 students in grades 6-12 in the public schools. The town is a stable suburb of Chicago with a diverse ethnic, racial and economic population. Because of its racial and economic diversity, the city is an ideal setting for educational and community-based experimental programs which help solve social problems.

For several years, eighth grade teachers were asked to identify students in their classes whom they felt would not make a satisfactory transition from middle to high school. In 1971, the request resulted in 168 referrals to the high school's outreach worker staff for summer contacts. A counseling approach for students with severe adjustment problems, however, is most effective only when the student has already decided to make a change. The student's own motivation for change is essential, and without it there is often little that counseling can provide.

During the summer of 1971, the principals of the elementary district's middle schools asked that a comprehensive program be established that would attack school adjustment problems more effectively than what the counseling approach can be expected to do alone. A year later, the Mental Health Society study echoed the need for a comprehensive approach.

A survey of other communities indicates that major success is being reported by school-related employment program in such diverse areas as Detroit, New York, St. Louis, Allentown, PA., Portsmouth, OH, Madison, WI, Chicago and Quincy, IL. Basically, these programs offer students a vocational program, often a part-time job, together with counseling and a modified educational program designed to complement the job and correct areas of deficiency. Similar programs often concentrate on high students, and operate only during the school year. Some operate their own business in conjunction with the program (a gas station is run by students in Quincy, for example) and other programs place children with cooperating local business concerns.

Specific Objectives

Project Earn and Learn serves those who need help and who are able to receive it while living at home, staying in the community and attending a public school program. It serves grades six through nine.

The 1976 Task Force on Adolescence (of the Evanston, Illinois) Mental Health Board cited the need for the program when it rated as a high priority the need for:

> increased counseling and social work services for the socially and emotion-

ally maladjusted with emphasis on a comprehensive summer transition program for improving the youth's ability for adjustment transition from middle school to high school.

In Earn and Learn, participants receive counseling coupled with a "job" and experience a summer retreat that brings together those who have done well during the school year and those who will enter the program in the fall. For graduating eighth graders, the program provides a comprehensive transition period.

Program Design

Children are selected for the program in school intake staffings. (See Appendix I) The child's parents are told of the program and, if they approve, the child and his counselor, social worker, teachers and parents design a set of specific behavior criteria that will determine daily participation in the program. Specific goals differ for each child in the program. The criteria are printed on an evaluation form carried by each child to each classroom teacher each day. Achievement of goals is rewarded by allowing the child to attend the job site where work is done for local business or civic groups for pay. The work aspect of the program is not unlike a traditional "sheltered workshop." The amount of time a child can work depends on the child's ability to achieve individual goals. The judge of school performance is the classroom teacher; and the parent is the judge of home and community performance.

At the end of the school day, a child reports to the guidance counselor for a discussion of the daily "report card" of progress. The counselor helps the child compute the percentage of goals that have been achieved that day and then calls the project work site to report what percentage of the two-hour work period each individual can be present. In addition, the counselor reports significant goal oriented success or serious behavioral problems encountered by individual children each day.

A fair amount of negotiation happens between children and counselors each day with this model. Children are able to express their daily concerns about the way they are judged and counselors are able to spot problems as they occur. Usually, any problems that happen during the day can be solved before the child leaves for "work" and, if necessary, parents and teachers can be contacted without delay.

Similar programs offer help outside the school in academic areas. This program, however, seeks to involve students in the activity of the school as much as possible. If a student needs remedial help

in reading or mathematics, he gets that help in school, rather than in a special "outside" program.

The major program goal is to help a student change his attitude toward himself, the school and the community. We believe that a properly motivated student can adequately benefit from existing school programs and that special programs should be aimed at helping a student join the majority.

At the work site, success can be rewarded with verbal praise and with the assignment to more responsible tasks such as running an addressograph machine or helping with supervision. Mental Health Board funding provides the project with counselors or social workers who are present at the work site each day to consult with the children and their parents. The Aide and Assistant Director each make regular visits to the child's school to observe classroom behavior. They also visit children's homes on a routine basis to report classroom observations. Social events are planned by the Aide for the program parents. They include potluck dinners and a year-end banquet.

In addition to work, the children help plan cultural events and outings (which they help pay for from their earnings) and visit local business and manufacturing concerns.

As students meet behavior and academic adjustment goals, new goals are set or children are counseled out of the program. During the past five years, it has been found that the children are eager to try it "on their own" when they are confident that success is possible. The program does not find that the lure of money or a "job" keeps children involved longer than necessary. This is probably due to the desire of children to be able to attend classes and seek their own after-school employment (if they wish) without having to seek daily evaluations from each classroom teacher and their guidance counselor.

A common counseling-out period is between middle and high school. For those who continue to need the program, it provides a comprehensive summer transition period. For this group, the summer begins as it has in the past with an out-of-town retreat. A high school guidance counselor attends that session with the group and begins to introduce the transition period that will follow. When the high school group returns to town, all students attend an introduction-to-high-school course which continues through the normal summer school period. The course is taught by the counselor they have just met, who will also become their counselor during the school year.

The course varies to fit the individual needs of students, but includes an intensive introduction to the physical campus, introductions to and visits with members of the administration, support and

security staffs and relevant academic and psychological assessment. The children earn an elective credit for the course and are given a letter grade at its completion.

As the class comes to a close, the counselor begins a series of meetings with each child to plan individualized programs of study. This is done in consultation with the middle school counselor, parents and project staff. The result is a program that is planned to meet the individual needs of each child.

For most, work experience is planned as part of their schedule and for all, free time during the school day is eliminated. Work sites are provided at various local businesses and at the high school itself.

The high school students do not carry daily evaluation forms to their teachers, but their attendance data is called to the project office by 5:00 p.m. each day, giving staff the opportunity to contact the student and his family each time a class is missed. In addition, the high school counselor makes a routine check on student progress and visits the student's job site.

At the central work site, the staff meets at the end of each day to discuss the progress of the children. In the case of problems, parents are contacted by visit or telephone. Parents are also contacted with news of special success or progress.

A School District 65 psychologist visits the project each month to observe the children and staff working at the central facility. Following the visit, the psychologist returns to consult with the staff, discussing observations, problems and progress.

For middle school students, the summer counseling retreat brings together those who have done well in the program and those who will enter the project in the fall. In addition to a resident staff for the summer, each group of children is accompanied by a school staff member. They attend without pay. The staff member is usually the guidance counselor, but during the past five years, two principals, two social workers and an assistant principal have attended in addition to a School District 65 administrator.

Using a physical setting, not unlike any traditional summer camp, the program children are exposed to a variety of social and recreational activities during the day, designed to improve their self-confidence and ability to enjoy group activity. Each evening before bed, the children meet as a group to discuss ways to improve participation and performance. Continual reference is made to the behavior goals that each child is working toward. Discussion is helped by a written evaluation that each child produces each evening. The brief written statements help the children

learn better language arts skills and provide an opportunity for reflection and goal-setting practice.

Following the children's group session, the staff meets to discuss what has happened that day and to plan activities for the following day that will facilitate growth. Activities are flexible and counselors are able to suggest individual approaches to enable each child to achieve and experience opportunities unique to his own needs.

For most participants, the summer retreat is the entry point for program participation. Entry during the school year is very rare and happens only to fill vacancies, or when it is felt, by school staff members, that an emergency situation exists that can be helped only by program intervention prior to the normal entry process. Eighth graders are not accepted after the beginning of the second semester, for any reason, and no new participants are added to the group of graduating eighth graders.

Evaluation Procedure

As previously stated, the program exists to promote constructive change in the school behavior of the participating students. During 1976-1977, behavioral goals were identified for each participant. One of the findings of the 1975-76 evaluation was that the average number of goals designated for student participants was eighteen, and that the average number of goals which were identified by more than half of the teachers, (consensus goals) was four. In other words, of the eighteen goals there was agreement among more than half of the relevant teachers regarding only four of the goals.

To improve that situation, and in an attempt to achieve consistency regarding teachers' expectations of each student, in 1976-77 when a student was selected to be a program participant, the school counselor assisted teachers in the process of identifying a maximum of five goals. The goals, specified by the teachers, were explained to the student by the counselor. The student was asked to add or delete goals and a final list of no more than five goals was then jointly agreed upon by the student and teachers.

Teachers are encouraged to specify criteria for goal attainment. For example, by December, Johnny will turn in 75 percent of his homework assignments.

Since the goals of the program are unique to the individual participant, the extent of and time by which goal attainment is expected varies. Data sources are also contingent upon the specific goal statement. However, in all instances, student achievement data are collected and the goal attainment criterion will be that test scores, one year later, reach the expected

level, given the score that each student had on entering the program. Daily behavior forms will be furnished each student. The student's behavior goals will be listed and the student will be responsible for obtaining the teacher's signature each class period for each goal met. If a particular goal is not applicable for a given class, NA is entered in the appropriate box. A sample evaluation form is shown on the next page.

The behavior forms are submitted by the student to the counselor at the end of each day, so that the percent of possible points earned can be calculated. There is a direct relationship between percent of possible points earned and the amount of wages obtained.

Behavioral goals are reviewed at least twice each year by student, teachers and counselor. If, for any specific goal, the student has an average of 90 percent of the possible score, over a twenty day period, that goal can be deleted, to be replaced by another consesus goal.

After the goals have been identified and explained to the student, we will ascertain where the child stands at this point. A set of the behaviors will be sent to every teacher the student has. The form has five lines where the teachers can place an X, labelled from most of the time to seldom. The teachers will be requested to place an X where the student is now. This will provide baseline data so that it will be possible to measure improvement for each behavior listed.

_____ Date _____

Please indicate: 1=Achieved Goal; 0=Did not achieve goal; NA=Not Applicable today

BEHAVIORAL GOALS	Class Periods 1	2	3	4	5	6	7	8	9
1. Complete and turns in assignments									
2. Able to take criticism									
3. Willing to take on new tasks and follow through on them.									
4. Refrain from disruptive conversations.									
5. Come to class on time.									
TEACHER'S INITIALS									

Number of Possible Points Today = _____

Counselor Adjustments _____

Total Points Earned Today = _____

% of Possible Points Earned _____

Results

Project Earn and Learn has been evaluated yearly since its beginning in 1972. The program has had three names during its history: Dewey House Employment Program; Project 65, and at the present time Project Earn and Learn. The research report summary in Appendix II uses all three names.

Each year's research design has varied in an attempt to examine different aspects of the program, but the most significant findings include:

*75% of the students had an improved over-all attitude.

*70% of the students were more responsive and adaptive in respective school and social environments.

*Groups providing work were pleased with the results.

*Parents are pleased with their child's progress.

*70% of the students maintained or increased their stanine score in reading and 73% maintained or improved their mathematics computation scores.

The studies were conducted by the School District 65 Research Director, Dr. Ida B. Lalor, from whom additional information is available. The summary in the appendix was prepared by Mr. Terrence M. Jenkins, Community Affairs Representative, Washington National Insurance Company and President of the Earn and Learn Policy Board.

Staff

The program has a full-time staff of three, a part-time director, three social workers or guidance counselors who serve the two hours that the children are working, and the services of a consulting psychologist one day each month. In addition to the paid staff, the program relies heavily on the time, cooperation and involvement of regular school staff members, including teachers, administrators, special service personnel and the elementary school district's Research Director.

Job descriptions include the following:

Project Director (half time)

Educator with experience in business, administration, education and counseling with special strength in effectively relating to socially maladjusted children. Gives over-all philosophical and therapeutic direction to the program, guides communication and coordination aspects of the team organization. Responsible for finding work for the children, raising funds and guiding the work of the program's policy board and staff.

Assistant Director (full time)

Educator, social worker or counselor who will gradually be able to assume major administrative program functions. Should be skilled in working with socially maladjusted children, and relate effectively with both middle and high school students and staff members.

Project Coordinator (full time)

Responsible for keeping project records, coordinating work assignments, cost accounting and cost estimating, payroll, billing, statistical calculations; matching needs of cooperating industrial sponsors with the type of work the children can do; consultant on student behavior problems; consultant on policy recommendations and the implementation of them, in addition to clerical duties.

Project Aide (full time)

A para-professional who has major contact with the project children and parents, attends cultural and recreational events and works with the project staff and related school personnel.

Social Worker/Guidance Counselor (part time)

Present school staff members chosen for their interest in the project and their ability to spend considerable after-school-hour time with the children.

Summer Counselors (full time summer sessions)

College students or adults who are able to effectively relate to the socially maladjusted.

Cost-Effectiveness

It is easy to measure the program's cost, but its "cost-effectiveness" is another matter. During the 1975-76 school year, the program cost $92,116.00 and served 49 children for a per-child cost of $1,880.00. This is in addition to the approximately $2,000.00 per year that the Evanston (IL) Public Schools spend per child.

The figure does not include "overhead" or "in-kind" expenses, such as cost of the office, utilities or the like, with the exception of telephone costs which were easy to determine. The program is housed in a school-owned facility and is considered like any other school-sponsored activity.

At some future time, Illinois will require schools to use Planned Program Budgeting (PPB) and then it will be possible to allocate specific overhead costs to individual programs.

The school district is the fiscal agent for the program and pays all bills and salaries. The director is an administrator with tenure as a teacher, the assistant director is a special education teacher and the para-professionals are paid at rates determined by similar positions in the school district. The part-time guidance counselors who serve the program are paid with funds from the local Mental Health Board. The local group also pays a portion of the aide's salary. The consulting psychologist is paid from school district funds. One position, the project coordinator, is currently paid with federal ESAA Title VII funds, but the program plans to seek local funding for the position.

In Illinois, school districts are reimbursed by the state for Special Education programs for which Earn and Learn qualifies. As a result, the local district gets back $6,250.00 per year for each full-time professional and $2,500.00 per year for each full time non-certified employee. Part time positions are reimbursed at pro-rated amounts. In addition, 80% of transportation costs are reimbursed. The entire cost of the students' wages is paid with funds raised in the local business and civic community. These local "outside" funds also pay for the bulk of the summer operating expenses and provided capital for a van recently purchased to transport the children, and to pick up and deliver work that they do.

It would be fair to summarize the funding as a shared, cooperative venture with the local schools providing the bulk of the salaries for teaching and administration, with help from the State of Illinois. Local Mental Health Board funds provide counselors and the aide, and the local business and civic community provides the major programming expenses.

Appendix III gives exerpts from the 1976-1977 Mental Health Board proposal showing both expenses and income.

One unique measure of cost-effectiveness, in addition to the research already discussed, is the interest generated by the program among members of the business and civic community. Outside fund-raising is done by the staff with help from a Policy Board composed of business, educational and civic leaders.

APPENDIX I

Criteria for Selecting Student Participants In Project Earn and Learn

When a teacher needs assistance in relating to a child, or in enabling a child to benefit from instructional activities, a number of district resource persons are available for consultation: fellow teachers, administrators, special services personnel and ancillary personnel.

If these initial consultations are not sufficient to improve the situation, and it is the professional judgment of the staff that the situation calls for some special intervention, the school counselor in consultation with appropriate special services personnel or the entire "Intake" [1] team evaluates the alternatives available and appropriate to meet the needs of the child. Project Earn and Learn is one of these alternatives. While the stimuli for evaluating a situation vary, (repeated confrontations with peers and teachers, self-initiated withdrawal from the group, unwillingness to make consistent attempts to learn), the criterion for recommending that a student participate in the Earn and Learn program is the staff interpretation that the student needs a systematic incentive program within a group setting in order to gain a new orientation and level of personal integration. A record of the recommendations resulting from the consultations or Intake evaluations is maintained by the school counselor.

Once selected for the program, a specific set of student behavioral goals are defined by the teachers and reviewed with the student and parents before participation can begin. Criteria for evaluating goal-accomplishment are derived for each of the target behaviors.

Evaluation of goal-accomplishment is a continuous process, initiated and monitored by the counselor. Teachers are asked to select new goals for participants when a high level[2] of success is achieved.

In selecting children to participate in the program, the existing race and sex composition of the program is taken into consideration so that segregation by race or sex will be avoided. Some attempt is made to have children from all of the middle school grades,

but no 8th grade student is selected for participation after January. A criterion describing an acceptable student participant/staff ratio has not been established to date, since the allocation of space for project activities is a present limitation.

Notes

[1]Multidisciplinary team that operates at each school, meeting regularly, for the purpose of dealing with staff concerns regarding individual students.

[2]95% success over a semester.

APPENDIX II

Summary of 1972-1976 Research Projects On Project Earn and Learn

Conducted by Dr. Ida Lalor, Director of Research
Evanston School District 65
Evanston, Illinois

Summary of 1972 Research

* There are no child labor law problems since this is a school related employment program.

* 75% of the students had an improved overall attitude.

* 70% of the students were more responsive and adaptive in respective school and social environments.

* The predominant attitude of the parents is positive.

* Groups providing work were pleased with the results.

* The intent of the program is "to help these students join the majority." The overall change is positive.

* When asked to interpret ways in which the program might be improved, the students responded in terms of changing their own behavior. Dr. Lalor said, "For the participants to perceive the potential success of the program as residing within themselves is an extremely encouraging sign."

* The program should be continued and expanded. The students should be given more opportunity to work for profit oriented concerns and to work within the establishment outside of Dewey House.

* The addition of an assistant director and secretary, as well as the interest of private industry, will allow for an expansion of the number of students serviced by the project.

Summary of 1973 Research

The 1973 evaluation centered on the following:

* A survey of the parents and students concerning the effectiveness of the program in general.

* A survey of the students to specifically assess their summer experience.

* An evaluation of the changes, if any, which occurred in the students' behavior in school.

Students were interviewed individually by a social worker and a school counselor and were asked certain questions concerning their perceptions of Project Earn and Learn. The following are selected responses to these questions:

The responses of the students were not edited.

1. As you think back about the program, when you first thought about being part of it, what did you hope would happen?

   * I don't think anything. I thought whoopee I get to make some money. I didn't know anything about being a decent person.

   * I will learn to do everything, the kind of people I will meet, and how I will feel about the program.

   * Well, I hoped that I could be a good worker and Sandy could be proud of me and I could handle some of the hard jobs he would put me on. I hoped I could get along with everybody that worked here, which I have so far.

2. When you first came to the summer retreat in Canada, what kinds of feelings did you have about the other people with you, and did your feelings change?

   * Kind of strange and far away, didn't feel a part. I felt more friendly toward everybody and instead of coming enemies and things like that we went back feeling like friends.

   * That I will care for them and watch out for them. I was most responsible and try to

teach them the things that they could learn about the wild life that's surrounding us. Yes, I felt like I was a friend inside me and the country is so beautiful you know.

* I felt that I wasn't going to get along with them, but when I got there and got settled down and everything I get along o.k. When you stay around a person for a while it makes you kind of change when you get to know them. You stay with a person a week you probably know more about them than in a day.

3. How did you feel about yourself, and did those feelings change?

* I think I probably felt better about myself and I got a chance to find out about myself, find out what I was about.

* Well, I felt like I was on my own and I could see how I could work out my own body, keep my own self out of trouble and what is right and what is wrong. Yes, I felt myself more responsible and I kind of enjoyed it.

* I felt sure after the trip and I wasn't sure of myself before. I was more sure of myself and I was able to realize that I could handle myself right.

4. As you look back over the whole year in Project 65, what comments would you like to make?

* Well, that my grades in school are much better since I am in the program. In the beginning of the year I was doing good but now I am doing much better and the people that I work with they seem like they are more responsible than some people.

* I would like to say something about the $200 for a camping trip including Canada and the program has helped me a lot in school because in 6th grade I wasn't doing well at all. I was failing in two subjects. Now I've had two conferences with my teachers and they were both very good.

* Well, I think that I did good so far. And everybody likes me in the program. And I think Sandy is part of what I've been doing -- like that job I had shopping -- I was dependable and I did it.

5. What most impressed you?

   * I don't know but I was impressed, but totally. One of the best things was getting to meet other people and being in a situation where I had to get along with other people.

   * Well, the people, and the things that I do and know what is right and what is wrong, like I can see myself doing it and I know what's wrong and what's right.

   * The people. Well, I like the kids this year better than I did last year cause some of them used to bother me all the time.

6. How has the summer experience affected your life in school?

   * It has made me think that if I try I can make it, so you should never stop and always work all your life and you'll always get what you want.

   * I knew I could do it in school if I just kept up with the rest of the kids. Sometime I fall behind. I always do catch up on the weekends.

   * It gave me a chance to think about things, go places and when I got back to school I was ready to learn.

It was the opinion of the evaluator that the students' statements themselves reveal the importance and general effectiveness of the program and require no further elaboration.

In conclusion, a table (not enclosed) was prepared to list all of the desired behavioral stages that were reported by staff members. These goals are listed below and the results of the table may be summarized as follows:

Attend school regularly	Show respect to others
Come to class on time	Follow directions
Have necessary materials	Learn that he doesn't have the last word

Get to work promptly; "on task"

Get reasonable amount of work done in time allotted; "keep up"

Improve academic performance

Refrain from disturbing others in classroom

Refrain from disturbing others in hallways

Assume responsibility as student

Be dependable

Keep his temper; no outbursts; think before acting

Increase peer involvement

Will not mimic teacher

Ask for help when needed

Take part in discussion; classroom activities

Improve interpersonal relationships

Ten students (36%) succeeded in reaching all of the specified goals; seven students (25%) did not reach any of their goals; eight students (29%) reached at least half of the goals; three students (10%) realized fewer than half of the specified goals. In other words, 64% of the participants succeeded in acquiring at least half of the behavioral changes sought.

Summary of 1974 Research

The primary element in the Project Earn and Learn Program is the ability of the students to meet goals which have been mutually agreed upon with the school counselors and teachers. These goals may be generally reduced to three categories as follows (samples of goals also included):

Attendance and promptness

Must report to home room a.m. and p.m. and must be on time.

Must be on time for school and be in their seat by 8:35 a.m.

Must improve school attendance.

Meeting academic requirements

Come to class prepared with books, paper, pen and pencil.

Complete assignments.

Do school work at home each weekday evening for one hour.

Conforming socially

Control temper.

Stop sucking thumb.

Be more sensitive to what behavior is appropriate at a given time.

A three point scale was used to measure goal achievement as reviewed by the school counselor. The summary of the goal measurement is as follows:

> Forty-five percent of the participants are viewed as having successfully achieved the goals, eighteen percent as having failed to achieve them. Combining the 37 percent of the students who have shown some positive change with the 45 percent of successful cases, one can say that constructive growth occurred for 82 percent of the participants.

The last area to be evaluated in the 1974 report was the students' perception of themselves, as recorded in the responses to selected items from the McHolland-Larsen Student Profile. The summary of this data is as follows:

> All of the respondents agreed that they liked themselves with seventy percent agreeing very much. Ninety-four percent agreed that their classmates seemed to like them. While eighty percent of the students agreed that they learned a lot in school, ninety-one percent agreed that their teachers thought they could learn. Eighty-eight percent agreed that they could set and achieve their goals. If one looks at the 'agree very much' category by itself, respondents seem most sure about liking them-

selves, how teachers and classmates perceive them and less sure about their ability to set and achieve goals and learn in school.

Overall, participants seem to have predominantly positive attitudes about themselves and their school related experiences.

Summary of 1975 Evaluation Report

The characteristics of a sample population of student participants in Project Earn and Learn were described in the 1975 Evaluation Report. The majority of the children in the sample had very low scores on standardized tests and received very low grades in school. As a group, they were seen by their teachers as less than satisfactory in many of their work habits and attitudes. A majority had been referred for psychological evaluations and a sizeable percentage of the sample exhibited a range of behaviors which interfered with the educational process.

Looking at the accomplishments of the 1974-75 program participants, 1975 achievement test scores showed that 85% of the twenty-six students for whom two years of scores were available maintained or improved their scores in reading. Twenty-six percent of the students maintained or improved their mathematics computation scores.

Over half of the student participants (54%) were seen by classroom teachers as making acceptable progress or doing well.

In reference to students' attitudes about themselves, there was an increase, at the end of the project year, in the number of neutral or rational responses students gave on an attitude survey. The evaluator hypothesized that an increase in the ability to view self and others rationally or analytically is an essential developmental task and, therefore, a positive outcome.

1975-76 Evaluation Report

The principle criterion for determining the effectiveness of the Earn and Learr project is the attainment of target goals specifically identified for each student participant.

The extent to which individual student participant target goals were reached was determined by collecting, from all of the classroom teachers responsible for a

given student, their judgments of the student's success in meeting goal expectations.

The number of target goals per child ranged from four to twenty-seven with an average number of eighteen goals, only four of which were consensus goals, i.e., goals that were agreed upon by more than half of the teachers.*

When grouping the goals into categories, students were most frequently able to meet their teachers' expectations regarding attendance, relations with adults and peers, and refraining from disruptive behaviors. According to their teachers, they were less frequently able to demonstrate behaviors relative to personal integration and instruction, that is, attending to tasks, completing and turning in assignments and participating in discussions.

An analysis of achievement test scores of participants showed that seventy percent of the students maintained or increased their stanine score in reading and seventy-three percent maintained or improved their mathematics computation scores.

Users of Project Earn and Learn services continue to praise the quality of the work (64% described it as excellent) and consider the Project's ability to do work on time as excellent (60%).

* As a result of this finding, modifications have been made in the goal setting procedure, since the identification of specific agreed upon behavioral goals for each student is critical to the effective implementation of this project. No more than five goals may be specified for a participant for any given time interval and each of these must be agreed upon by the staff as desired or expected behaviors.

APPENDIX III

Operating Expenses

Prepared for the Evanston Mental Health Board in support of Project Earn and Learn, September, 1976.

	7-1-77 6-30-78
STAFF COMPENSATION	
TOTAL STAFF COMPENSATION (2100+2200+2300)	$ 56,343.
PROFESSIONAL FEES AND CONTRACT SERVICE PAYMENTS	
2400 - TOTAL PROFESSIONAL FEES AND CONTRACT SERVICES	3,550.
SUPPLIES	
2500 - TOTAL SUPPLIES	5,550.
2600 - TELEPHONE AND TELEGRAPH	800.
2700 - POSTAGE AND SHIPPING	4,000.
OCCUPANCY (Buildings and Grounds)	
2800 - TOTAL OCCUPANCY	2,870.
3100 - OUTSIDE PRINTING, ARTWORK, ETC.	200.
LOCAL TRANSPORTATION	
3200 - TOTAL LOCAL TRANSPORTATION	4,325.
CONFERENCES, CONVENTIONS, MEETINGS AND MAJOR TRIPS	
3300 - TOTAL CONFERENCES AND MEETINGS	_____
3400 - SUBSCRIPTIONS AND REFERENCES	_____
SPECIFIC ASSISTANCE TO INDIVIDUALS	
3500 - TOTAL SPECIFIC ASSISTANCE TO INDIVIDUALS	46,140.

4100 MEMBERSHIP DUES	
4200 AWARDS AND GRANTS	
EQUIPMENT AND OTHER FIXED ASSETS	
4300 - TOTAL EQUIPMENT AND OTHER FIXED ASSETS	4,800.
GRAND TOTAL EXPENDITURES	$128,578.

REVENUE FOR SERVICE OPERATIONS

SUPPORT FROM THE PUBLIC	
100 - TOTAL CONTRIBUTIONS - GENERAL	$57,585.
FEES AND GRANTS FROM GOVERNMENTAL AGENCIES	
1000 - TOTAL FEES & GRANTS FROM GOV'T AGENCIES	13,183.
PROGRAM SERVICE FEES & INCIDENTAL REVENUE	
1300 - TOTAL PROGRAM SERVICE FEES AND INCIDENTAL REVENUE	4,200.
INVESTMENT INCOME	
1600 - TOTAL INVESTMENT INCOME	1,750.
1700 - MISCELLANEOUS REVENUE Local tax funds	51,860.
TOTAL OPERATING REVENUE	$128,578.

1020 GRANTS FROM GOVERNMENTAL AGENCIES

	Current Budget	Proposed Budget
Source of Grant: ESAA Title VII		
Amount of Grant:	$11,192.	$ none
Purpose of Grant: Coordinator's salary, including fringe benefits		
Limitations (if any):		

Source of Grant:			
	Amount of Grant:	$	$
Purpose of Grant:			
Limitations (if any):			
Source of Grant:			
	Amount of Grant	$	$
Purpose of Grant:			
Limitations (if any):			
TOTAL GRANTS FROM GOVERNMENTAL AGENCIES		$11,192.	$ none